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No. \_\_\_\_\_

FILED IN  
4th COURT OF APPEALS  
SAN ANTONIO, TEXAS

01/10/2022 1:49:11 AM

MICHAEL A. CRUZ  
Clerk

**IN THE FOURTH COURT OF APPEALS**

**AT SAN ANTONIO, TEXAS**

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**IN RE MICHELE CAREY GARCIA**

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**EMERGENCY PETITION FOR WRIT OF MANDAMUS**

***Emergency Relief Requested – Filed concurrently with this Writ of Mandamus***

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TO THE HONORABLE FOURTH COURT OF APPEALS:

NOW COMES Relator, Michele Carey Garcia, and submits this Emergency Petition for Writ of Mandamus, also requesting Emergency Relief filed concurrently with this Emergency Writ of Mandamus.

Respectfully submitted,

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**ATTORNEYS FOR RELATOR  
MICHELE CAREY GARCIA**

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**Respondent:** Monica Alcantara, County Chair, Bexar  
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## **STATEMENT OF THE CASE**

1. Relator Michele Carey Garcia filed an application to be placed on the Democrat primary ballot for the office of Justice of the peace Precinct 4 in opposition to Real Party in Interest Rogelio Lopez, Jr.

2. On December 16, 2021, Real Party in interest Rogelio Lopez Jr., filed an Emergency Petition for Writ of Mandamus along with an Emergency Request for Relief in this Court alleging that Relator Michele Carey Garcia failed to properly fill out her application as it was missing the words “Place 1” in the title for the office sought. Specifically, Lopez argues that Relator should have put Justice of the Peace Precinct 4, Place 1 as opposed to Justice of the Peace Precinct 4. See *In re Lopez*, 2021 Tex. App. LEXIS 10092 also attached hereto and incorporated by reference as Exhibits “A” and “B” respectively. Relator has also included her response and the exhibit showing that the Commissioner’s Court abolished Place 2 in Precinct 4 attached hereto and incorporated herein as Exhibit “C”. (It should be noted that Relator, in her initial response, also included the entire Bexar County budget as additional evidence that the Commissioner’s Court dissolved Place 2 in Precinct 4, which we ask the court to take judicial notice as it is over 800 pages in length and is not included herein. This Court has access to this exhibit in the prior mandamus proceeding referenced above.)

3. On December 17, 2021, this Court issued an opinion denying Lopez's Mandamus as he had not shown himself to be entitled to the relief sought. *Id.* See *In re Lopez*, 2021 Tex. App. LEXIS 10092 and Opinion attached hereto and incorporated by reference as Exhibit "D".

4. Thereafter, on December 27, 2021, Rogelio Lopez Jr., filed a Declaratory Judgment action against the same parties that were included in the prior mandamus action alleging the exact same issues against Relator as was briefed in the prior mandamus action in Cause No. 2021-CI-26103; *Rogelio Lopez, Jr. v. Monica Alcantara, Michele Carey Garcia and Albert Whitby*, in the 225<sup>th</sup> Judicial District, Bexar County, Texas. See Original Petition attached hereto and incorporated by reference a Exhibit "E". Again, in both lawsuits the same parties and issues against Relator were identical.

5. On January 4, 2022, the Trial Court issued an order setting the case for temporary orders hearing which was reset and heard on January 5, 2022. The next day on January 6, 2022, the trial court held an additional hearing to render an order. Unbeknownst to the parties the trial court did not issue a temporary injunction but actually rendered a final order on the merits enjoining the Respondents Alcantara from certifying the Relator's application which effectively removes her name from the ballot. See the Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibit "G".

6. Although the trial court has yet to issue an official order in writing it is necessary to file this mandamus as the mail ballots are going to be printed any day and specifically on January 13, 2022, and pursuant to Texas Election Code § 86.004(b) mail ballots will start being sent to voters requesting them 45 days before the election, which is January 15, 2022.

7. Relator now files this petition for writ of mandamus seeking an order requiring Alcantara and Callanen to place Relator's name on the 2022 Democrat primary ballot for the office of Justice of the Peace Precinct 4, Place 1.

8. As stated above, it is necessary for emergency consideration of this mandamus due to the short deadlines for having her name placed on the ballot. As stated above, pursuant to Texas Election Code § 86.004(b) mail ballots will start being sent to voters requesting them 45 days before the election, which is January 15, 2022. The election authority will need some lead time before this date to print the ballots, which will be January 13, 2022. Accordingly, Garcia requests emergency consideration of her mandamus petition so that there is time to place her name on the ballot in the event she prevails in this proceeding. Without such emergency consideration this proceeding will become moot and this Court will lose its jurisdiction without an opportunity for Garcia to obtain a ruling on the merits.

## **STATEMENT OF JURISDICTION**

9. This Court has jurisdiction to hear this original proceeding under Article V, § 6 of the Texas Constitution and under Texas Election Code § 161.009 & 273.061.

## **ISSUES PRESENTED**

Issue 1: The Trial Court Abused its discretion in rendering an injunction as the Omission of Place 1 Did Not render her application moot and the Party Chair cannot reject her application and the Bexar County Elections Administrator cannot leave Garcia's name off the ballot.

Issue 2: No Adequate Remedy at Law - Harm

## **STATEMENT OF FACTS**

10. On the morning of December 10, 2021, Garcia arrived at the Bexar County Democratic Party headquarters where they offered to type in the information fields required for her application. Relator reviewed the application, swore to it and signed it and officially filed her application for a place on the 2022 Democrat primary ballot for the office of Justice of the Peace Precinct 4. (See Relator's Application for a Place on the Democratic Party General Primary Ballot and Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibit "F" and Exhibit "G" respectively). An application for this office in Bexar County must "be accompanied by a nominating petition- containing a 250-signature judicial petition in addition to a filing fee See TEX. ELEC. CODE § 172.021(e). Garcia's application included the required petition signatures as well as the required fee. (See Relator's Application for



a Place on the Democratic Party General Primary Ballot and Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibit “F” and Exhibit “G” respectively).

11. The official ballot application form submitted by Garcia stated that the office sought was Justice of the Peace Precinct 4. (See Relator’s Application for a Place on the Democratic Party General Primary Ballot attached hereto and incorporated by reference as Exhibit “F”). Because the office Garcia sought was for the *only* justice of the peace office located in precinct 4, she quite naturally believed that to be the official title of the office as the Commissioner’s Court abolished all other places in Precinct 4 leaving only one Justice of the Peace Office in Precinct 4 period. See Relator Michele Garcia’s Response to Mandamus Petition with attachment as well as the Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibits “C” and “G” respectively.

12. Six days later, December 16, 2021, Relator was served with a Petition for an Emergency Writ of Mandamus filed by Rogelio Lopez, Jr., and had less than 12 hours to respond. Relator timely submitted her response to the Fourth Court of Appeals on December 17, 2021, explaining that there was only one office of Justice of the Peace in Precinct 4 and that Place 2 had been eliminated and attached exhibits showing the elimination of all the other places in Precinct 4 leaving only one possible Justice of the Peace Office. (See Relator Michele Garcia’s Response to Mandamus Petition

with attachment attached hereto and incorporated by reference as Exhibit “C”). That same day, this Court denied Rogelio Lopez, Jr.’s Petition for Mandamus. See *In re Lopez*, 2021 Tex. App. LEXIS 10092 attached hereto and incorporated by reference as Exhibit “D”. See also the Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibit “G”.

13. Relator was satisfied that this issue was over, however, on December 27, 2021, Relator was served via email with a notice of hearing for Plaintiff Rogelio Lopez, Jr.’s Application for Temporary Injunction which was filed in the Cause No. 2021-CI-26103; *Rogelio Lopez, Jr. v. Monica Alcantara, Michele Carey Garcia and Albert Whitby*, in the 225<sup>th</sup> Judicial District, Bexar County, Texas. The hearing was set for January 4, 2022 at 9:00 am in the Bexar County Presiding District Court. On January 4, 2022, the case was reset for the following day January 5, 2022 at 1:30 pm. On January 6, 2022 at 1:30 pm the trial granted a Permanent Injunction effectively removing Relator’s name from the ballot. See the Affidavit of Michele Garcia attached hereto and incorporated by reference as Exhibit “G”. See also the Plaintiff’s Original Petition and Application for Temporary Restraining Order and/or Temporary and/or Permanent Injunction filed in District Court December 27, 2021, attached hereto and incorporated by reference as Exhibit “E”.

14. At this point Relator cannot fix her application as the filing deadline has passed to make any changes to her application. Additionally, as stated above, pursuant to

Texas Election Code § 86.004(b) mail ballots will start being sent to voters requesting them 45 days before the election, which is January 15, 2022. The election authority will need some lead time before this date to print the ballots, which will be January 13, 2022. Accordingly, there is no adequate remedy at law by regular appeal because as it stands now, her name will be removed from the ballot and after the Trial Court issues its final written orders, the time will be too late and will become moot and this Court will lose its jurisdiction without an opportunity for Garcia to obtain a ruling on the merits.

## **ARGUMENT**

### ***ARGUMENTS AND AUTHORITIES***

#### **I. STANDARD OF REVIEW**

15. Although the Trial Court bypassed the temporary injunction and issued a final ruling on the merits, this Court may review a petition for writ of mandamus when an expedited appeal would be inadequate, if, for example, the appeal could not be completed before the issue became moot. In a mandamus action, this Court reviews the Trial Court's actions to determine whether it clearly abused its discretion. A trial court has no discretion to determine what the law is. See *In re Francis*, 186 S.W.3d 534, 538.

16. In addition, Texas Election Code § 273.061 gives this Court jurisdiction to issue a writ of mandamus to compel the performance of any duty imposed by law in

connection with the holding of an election.

17. As stated above, there is no time to wait for the Trial Court to issue its formal order and for the Relator to file a regular appeal as time is of the essence and the issue will be moot after January 13, 2022 and Garcia's name will be missing from the democratic party's primary election ballot. This Court must allow the Respondents to perform their ministerial duties of submitting Garcia's name for inclusion on the primary ballot.

**II. Alcantara Has a Duty to Certify Garcia's Name for Inclusion on the Ballot and Callanen Has a Duty to Include Garcia's Name on The Ballot**

18. The Election Code provides that the "county chair shall electronically submit . . . the name of each candidate who files an application for a place on the ballot with the chair, including an application for the office of a political party . . . whose application meets the requirements of Section 172.021." TEX. ELEC. CODE § 172.029(a)(1)-(2). "The party chair's duty to determine whether an application for a place on the ballot complies with the statutory requirements is ministerial." *In re Triantaphyllis*, 68 S.W.3d 861, 869 (Tex. App.—Houston [14th Dist.], orig. proceeding), *mand. denied*, 71 S.W.3d 313 (Tex. 2002).

19. In this case, as a result of the Trial Court issuing a permanent injunction at a temporary orders hearing effectively blocks Alcantara from performing her ministerial duty to certify Garcia's name and as a result of the short time period, Callanen must

also make sure that Garcia's name is included on the mail ballots which are being printed.

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**Issue 1 (restated): The Trial Court abused its discretion in rendering an injunction as the omission of Place 1 did not render her application moot and the Party Chair cannot reject her application and the Bexar County Elections Administrator cannot leave Garcia's name off the ballot.**

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20. The Election Code provides that all candidates for party offices must file a written application with the appropriate filing authority in order to secure a place on the primary ballot. TEX. ELEC. CODE §§ 172.0221; 172.0222; and 141.031.

21. In this case, Garcia filed her written application with the appropriate authority, the person designated by the Bexar County Democratic Party to receive such applications. (See Relator's Application for a Place on the Democratic Party General Primary Ballot attached hereto and incorporated by reference as Exhibit "F") The candidate's application should include, among other things, "the office sought, including any place number or other distinguishing number." Texas Election Code § 141.031(a)(4)(C).

22. In the prior Mandamus proceedings, the Real Party in Interest, Lopez, cited *In re Francis*, 186 S.W.3d 534, 538 (Tex. 2006) (orig. proceeding) which relied on *Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex. 1986) (orig. proceeding) for the proposition that statutory requirements concerning candidacy for political office are mandatory and are to be strictly enforced." See *Wallace v. Howell*, 707 S.W.2d 876,

877 (Tex. 1986) (orig. proceeding). However, the Texas Supreme Court has since abandoned this strict construction and application of the Election Code.

23. In *In re Bell*, the Supreme Court considered whether or not petition signatures submitted as part of a candidate's ballot application were invalid because they omitted the signer's city of residence. *In re Bell*, 91 S.W.3d 784, 785 (Tex. 2002) (orig. proceeding). Although the Election Code required a valid petition signature to contain the voter's residence address, which includes the voter's city of residence, *id.* at 785, the Supreme Court determined that the omission of the city did not invalidate the petition signatures. *Id.* at 788. The opinion refused to adopt the reasoning of several courts of appeal that had previously held petition signatures in a candidate's ballot application invalid if they failed to include the voter's city of residence. *Id.* at 786 (collecting cases).

24. The opinion relied on the Code Construction Act's direction that the "Legislature is presumed to have intended a 'just and reasonable result' in enacting statutes" and "that courts may consider the object sought to be attained 'in construing statutes.'" *Id.* at 785 (quoting TEX. GOV'T CODE §§ 311.021(3); .023(1)). Based upon these principles, the Court held that construing the Election Code to "not invalidate a petition signature if the signer provides enough information to allow verification of the signer's voting eligibility for a particular election," even if the required city was not provided, applied "a rationale that furthers one of the principal

purposes behind the Election Code—the prevention of election fraud—and produces a ‘just and reasonable result.’” *Id.* at 787. The Supreme Court held that “if the information omitted will not aid in determining the signer’s voting eligibility for a particular election, invalidating the signatures is not a ‘just and reasonable result’ in light of the object ‘sought to be attained’ by the statute.” *Id.*

25. In *In re Barnett*, the Supreme Court held that the construction and application of the Election Code adopted in *Bell* also applied to omissions in the application itself. *In re Barnett*, 207 S.W.3d 326, 327 (Tex. 2006) (orig. proceeding). In *Barnett* a candidate had omitted the street address from his residence address, including only the city, state and zip code on his application. *Id.* at 326. The filing authority rejected his application on the grounds that it failed to conform to the requirement that the application provide the candidate’s residence address or if he has no permanent address then he must describe the location of his residence. *Id.* at 327 (citing TEX. ELEC. CODE § 141.031(a)(4)(I)). Following its holding in *Bell*, the Supreme Court concluded that the omission of the statutorily required residence address was not a fatal defect in the candidate’s ballot application so long as there was information supplied in the application that would allow the filing authority to determine that the candidate resided in the district applied for. *Id.* at 327-28.

26. While the candidate’s city, state and zip code provided insufficient information by themselves to determine that the candidate lived in the district, the opinion held

that because “the application contains [the candidate’s] voter registration number and that the voter registration records indicate that [he] resides in” the appropriate district, the candidate “provided sufficient information in his application to allow respondents to determine that he resides” in the district. *Id.* at 327-29.

27. Put simply, just like the defects in the cases cited above, in this case at bar there is no confusion to the voters or misrepresentation as there is only one possible office of Justice of the Peace located in Precinct 4. As stated above, the Court should not penalize Relator as she listed the only office for Justice of the Peace in Precinct 4. Such omission of the place number is superfluous and not a fatal error that would mislead a voter. Again, the ballot only has one spot for Justice of the Peace in Precinct 4, period, as all other places have been dissolved. To reject Garcias’s application for the omission of a place number which is the only office in that Precinct for Justice of the Peace does not further the object sought to be obtained by providing that information in the application, to ensure the voters are not misled, and preventing her candidacy would certainly not be a just and reasonable result. See *In re Bell*, 91 S.W.3d at 787. There is only one result because there is only one Justice of the Peace office in Precinct 4, period.

28. Another principal noted in all the cases and in *Francis* is that a “candidate’s ‘access to the ballot lies at the very heart of a constitutional republic,’” the Texas Supreme Court “[s]trictly constru[es] . . . statutory provisions . . . against



ineligibility.” *In re Green Party of Tex.*, 630 S.W.3d 36, 37 (Tex. 2020) (orig. proceeding) (citation omitted). Broadly construing “the election code in favor of eligibility and access to the ballot ensures that decisions regarding elected positions ‘are made by voters, not technicalities.’” *In re Ramirez*, No. 13-18-00031-CV, 2018 WL 774840, at \*4 (Tex. App.—Corpus Christi Feb. 2, 2018, orig. proceeding [mand. denied]) (mem. op.) (citation omitted). Both *Bell* and *Barnett* construe the Election Code in such a way as to do justice to the objects sought by the Code as well as to ensure that elections are not decided by technicalities by reaching a just and reasonable result. Additionally, the *Francis* case also echoes such logic in that if the candidate omissions are not misleading such omission should not render such application invalid especially if such omission could be cured. Again, in this case there was only one Justice of the Peace position in Precinct 4 as all other places were dissolved by the Commissioner’s Court. (See Relator Michele Garcia’s Response to Mandamus Petition with attachment attached hereto and incorporated by reference as Exhibit “C”.) As such, the Trial Court should not have issued an injunction removing Relator from the ballot. Alcantara has a ministerial duty to certify the application, and Callanen has a duty to print the ballots with Garcia’s name.

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**Issue 2(restated): No Adequate Remedy at Law – Harm**

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29. As stated throughout this brief, although the trial court bypassed the temporary injunction and issued a final ruling on the merits, an expedited appeal, if available,

would be inadequate because the appeal could not be completed before the issue became moot. In addition, § 273.061 of the Texas Election Code gives the Court jurisdiction to issue a writ of mandamus to compel the performance of any duty imposed by law in connection with the holding of an election. As stated above, at this point Relator cannot fix her application as the filing deadline has passed to make any changes to her application. Additionally, pursuant to Texas Election Code § 86.004(b) mail ballots will start being sent to voters requesting them 45 days before the election, which is January 15, 2022. The election authority will need some lead time before this date to print the ballots, which will be on or about January 13, 2022. Accordingly, there is no adequate remedy at law by regular appeal as it stands now her name will be removed from the ballot and after the Trial Court issues its final written orders, the time will be too late and will become moot and this Court will lose its jurisdiction without an opportunity for Garcia to obtain a ruling on the merits. Harm will be imminent as Garcia's name will be missing from the Democratic Party Primary Election Ballot. This Court must allow the Respondents to perform their ministerial duties of submitting Garcia's name for inclusion on the primary ballot.

### **PRAYER**

30. Based upon the foregoing, Relator, respectfully requests this Court to order Respondent, Alcantara and Callanen, to certify and print Relator's name for inclusion

on the 2022 Democratic Party Primary Election Ballot for the only office of the Justice of the Peace, Precinct 4.

Respectfully submitted,

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### **APPELLATE RULE 9.4(i)(3) CERTIFICATE OF COMPLIANCE**

Counsel hereby certifies that this document was computer generated using 14-point Times New Roman typeface and that this document, excluding those portions enumerated in Appellate Rule 9.4(i)(1), contains 1,948 words, based upon the word count of the computer program used to generate the brief.

/s/: Adrian A. Spears II

Adrian A. Spears II

### **APPELLATE RULE 52.3(J) CERTIFICATION**

I certify that I reviewed the Emergency Petition for Writ of Mandamus that I filed on behalf of Michele Garcia on this day and I concluded that every factual statement in the petition is supported by competent evidence included in the appendix or record.

/s/: Adrian A. Spears II

Adrian A. Spears II

### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of this document was served upon the below named according to the Texas Rules of Appellate Procedure on January 10, 2022 in the following manner.

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/s/: Adrian A. Spears II  
Adrian A. Spears II

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No. \_\_\_\_\_

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**IN THE FOURTH COURT OF APPEALS**

**AT SAN ANTONIO, TEXAS**

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**IN RE MICHELE CAREY GARCIA**

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**EMERGENCY PETITION FOR WRIT OF MANDAMUS**

*Emergency Relief Requested – Filed concurrently with this Writ of Mandamus*

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**APPENDIX**

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TO THE HONORABLE JUDGE OF SAID COURT:

The following exhibits are incorporated by reference into the Emergency Petition for Writ of Mandamus:

- Exhibit A: Rogelio Lopez, Jr.'s Emergency Petition for Writ of Mandamus in Cause No. 04-21-00558-CV, In Re Rogelio Lopez, Jr. dated December 16, 2021.
- Exhibit B: Rogelio Lopez, Jr.'s Emergency Motion for Temporary Relief and/or for Stay Pending Ruling on Emergency Petition for Writ of Mandamus and/or Petition for Writ of Mandamus in Cause No. 04-21-00558-CV, In Re Rogelio Lopez, Jr. dated December 16, 2021.
- Exhibit C: Michele Garcia's Response to Petition for Writ of Mandamus and Emergency Motion for Extraordinary Relief filed by Rogelio Lopez, Jr. in Cause No. 04-21-00558-CV, In Re Rogelio Lopez, Jr. dated December 17, 2021.

- Exhibit D: Order in Cause No. 04-21-00558-CV; In re Rogelio Lopez, Jr., Relator, Original Proceeding, dated December 17, 2021
- Exhibit E: Plaintiff's Original Petition and Application for Temporary Restraining Order and/or Temporary and/or Permanent Injunction in Cause No. 2021CI26103; Rogelio Lopez, Jr. v. Monica Alcantara, Michele Carey Garcia and Albert Whitby; in the 225<sup>th</sup> Judicial District Court, Bexar County, Texas filed December 27, 2021.
- Exhibit F: Relator Michele Garcia's Application for a Place on the Democratic Party General Primary Ballot dated December 10, 2021.
- Exhibit G: Affidavit of Michele Garcia dated January 9, 2022.



# **EXHIBIT “A”**

04-21-00558-CV

NO. \_\_\_\_\_

\* \* \*

FILED IN  
4th COURT OF APPEALS  
SAN ANTONIO, TEXAS  
12/16/21 1:02:59 PM  
MICHAEL A. CRUZ  
Clerk

**IN THE COURT OF APPEALS  
FOURTH SUPREME JUDICIAL DISTRICT  
SAN ANTONIO, TEXAS**

\* \* \*

**IN RE ROGELIO LOPEZ, JR.,  
BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1,  
RELATOR**

\* \* \* \*

**EMERGENCY PETITION FOR WRIT OF MANDAMUS**

\* \* \* \*

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**ATTORNEYS FOR RELATOR**

December 16, 2021

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04-21-00558-CV  
**NO.** \_\_\_\_\_

\* \* \*

**IN THE COURT OF APPEALS**

**FOURTH SUPREME JUDICIAL DISTRICT**

**SAN ANTONIO, TEXAS**

\* \* \*

**IN RE ROGELIO LOPEZ, JR.  
BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1**

**Relator**

\* \* \* \*

**EMERGENCY PETITION FOR WRIT OF MANDAMUS**

TO THE HONORABLE COURT OF APPEALS:

Relator ROGELIO LOPEZ, JR., BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1 ("Relator"), petitions this court for leave to file and for this emergency writ of mandamus against Respondent/Real Party in Interest, Monica Alcantara, Bexar County Democratic Party Chairwoman ("Alcantara").

1.

**PARTIES, JURISDICTION, AND RECORD**

1. Relator is Rogelio Lopez, Jr., Bexar County Justice of the Peace, Precinct 4, Place 1. Relator is represented by Adam Poncio, PONCIO LAW OFFICES, P.C., 5410 Fredericksburg Road #109, San Antonio, Texas 78229-3550.

2. Respondent and Real Party in Interest is Monica Alcantara, Bexar County Democratic Party Chair, Bexar County Democratic Party Headquarters, 1844 Fredericksburg Rd, San Antonio, Texas 78201. The two candidates for office at issue are Albert Whitby and candidate Michele Carey Garcia. Counsel will supplement with addresses and contact information.

3. This court has mandamus jurisdiction over this proceeding under TEX. ELEC. CODE § 273.061, which authorizes this court to issue a writ of mandamus "to compel the performance of any duty imposed by law in connection with the holding of an election... regardless of whether the person responsible for performing the duty is a public officer."

4. This court has mandamus jurisdiction over this proceeding under TEX. ELEC. CODE § 273.061, which authorizes this court to issue a writ of mandamus "to compel the performance of any duty imposed by law in connection with the holding of an election... regardless of whether the person responsible for performing the duty is a public officer. " Moreover and/or alternatively, mandamus issues to correct a clear abuse of discretion, or the violation of a duty imposed by law, where there is no adequate remedy by appeal. *In re Daisy Mfg. Co.*, 17 S.W.3d 654, 658 (Tex. 2000)



(orig. proceeding) (per curiam).

5. Despite being informed of defects in the applications for office, Chairwoman Alcantara has disregarded her obligation to reject the applications for office filed by candidates for Justice of the Peace Albert Whitby and candidate Michele Carey Garcia. The respective "Application for a Place on the General Primary Ballot" filed by each candidate is defective pursuant to the Texas Election Code, and accordingly must be rejected. Each respective application fails to meet the requirements prescribed in the Texas Election Code.

6. Mr. Whitby's application was accompanied by 39 pages of petitions, all of which list the candidate office as "Justice of the Peace, Precinct 4." All the petitions failed to include the place number as "Place 1." This is a defect in each of these petition pages, which renders each of them invalid.

7. Ms. Garcia's application listed the office as "Justice of the Peace, Precinct 4" and failed to include the place number as "Place 1." This is also a defect which also renders the application invalid.

8. The Texas Election Code provides "If an application does not comply with the applicable requirements, the authority **shall** reject the application. " TEX. ELEC. CODE § 141.032 (emphasis added). While Chairwoman Alcantara has been informed of the defect in the applications, she has failed and refused to reject the applications as required by law.

9. The record in this original proceeding consists of an Appendix containing verified copies of the pertinent documents.

10. Moreover, by separate motion, Relator is requesting an emergency stay in the underlying matter. It is requested that the certification to the secretary of state for the ballot in the race at issue, any drawing for placement on the ballots for respective candidates scheduled for and held on December 15, 2021, be nullified and/or that the applications be deemed or ordered rejected and that a new drawing be held for placement on the ballot. Furthermore and/or alternatively, it is requested that placing the respective candidates on the ballot be stayed until this matter can be resolved. The requested emergency stay is necessary to maintain the status quo of the parties and to preserve the Court's jurisdiction to consider the merits of the underlying orders and/or the mandamus request filed. *In re Reed*, 901 S.W.2d 604, 609 (Tex. App. -- San Antonio 1995, orig proceeding). As set out above, an emergency order is necessary in order to prevent the improper conduct of the Real Party In Interest, to order that she comply with her duties to reject the applications and to maintain this Court's jurisdiction while a determination is made regarding any abuse of discretion or failure of Alcantara to perform her statutory obligations and/or for this court to determine the merits.

## **II.**

### **STATEMENT OF REQUESTED RELIEF AND COMPELLING CIRCUMSTANCES**

#### **1. PRELIMINARY STATEMENT AND ISSUES**

11. This is a petition for writ of mandamus requesting that Chairwoman Alcantara be compelled to fulfill her duties and obligation to reject the applications for office filed by candidate Albert Whitby and/or candidate Michele Carey Garcia, as required by the Texas Election Code. The respective "Application for A Place on the General Primary Ballot" filed by each candidate is defective pursuant to the Texas Election Code, and accordingly must and **shall** be rejected, as required by the Election Code. Each respective application fails to meet the requirements prescribed in the Texas Election Code.

#### **2. ARGUMENT, RELEVANT FACTS AND AUTHORITIES**

##### **The Albert Whitby Application For A Place on the General Primary Ballot**

12. The Application for candidate Whitby is defective pursuant to the Texas Election Code, and accordingly must be rejected. The Application fails to meet the requirements prescribed in the Texas Election Code. Mr. Whitby's application was accompanied by 39 pages of petitions, all of which list the candidate office as "Justice of the Peace, Precinct 4." (Appendix Exhibit 1). All the petitions failed to include the place number as "Place 1." This is a defect in each of these petition pages, which renders each of them invalid. As the Democratic Party Chair and the designated filing authority, Alcantara must reject the application but has failed to do so, even though she was informed of the defects (See Notification Letters Attached as Exhibit

2). The Election Code provides as much, providing “If an application does not comply with the applicable requirements, the authority **shall** reject the application....”

TEX. ELEC. CODE § 141.032 (emphasis added).

### **The Garcia Application For A Place on the General Primary Ballot**

13. Similarly, candidate Michele Carey Garcia’s “Application for a Place on the General Primary Ballot” filed on December 10, 2021, is defective pursuant to the Texas Election Code, and accordingly must be rejected. The Garcia application lists the candidate office as "Justice of the Peace, Precinct 4" but failed to include the place number as "Place 1" (Appendix Exhibit 3) As a result, the Democratic Party Chair and the designated filing authority must reject the application. The Application fails to meet the requirements prescribed in the Texas Election Code. Nevertheless, despite being informed of the defect, Alcantara has also failed to reject the Garcia application as required.

14. With regard to both applications, section 141.031 provides that:

(a) A candidate's application for a place on the ballot that is required by this code must:

(4) include:

(c ) the office sought, including any place number or other distinguishing number ...

TEX. ELEC. CODE § 141.031.

### **Applicable Law Establishes That the Applications Must Be Rejected**

15. The Texas Supreme Court reviewed an identical case, and found that the failure to list the place number in each of the petition pages constituted a defect in

each of those petition pages, which rendered all of those pages invalid. *See In re Francis*, 186 S.W.3d 534, 538 (Tex. 2006) (orig. proceeding) (omitting Place 8 constituted a "defect" and an "omission of the statutory requirements..."). Regarding the candidate's omission of "Place 8" on the petitions, the Texas Supreme Court went on to say:

"We agree that the omission of any statutorily required information on a petition renders signatures on that petition invalid. Section 172.027 of the Election Code says that a candidate's place number 'must appear at the top of each page of a petition.' Section 141.063(a)(4) says that a signature on a petition is invalid unless 'each statement that is required by this code . . . appears, at the time of signing, on the page on which the signature is entered.' As the Code requires a place number on each page, and declares invalid any signatures on pages without it, the trial court correctly concluded that all but 27 signatures from the district involved in this challenge are invalid."

*In re Francis*, 186 S.W.3d 534, 538 (Tex. 2006).

Moreover, the court went on to say:

We have strictly enforced mandatory statutory requirements for political candidacy in the past. *See, e.g., Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex.1986) (disqualifying candidate who filed application for two judicial positions and conditioned withdrawal from one on qualification for the other); *Painter v. Shaner*, 667 S.W.2d 123, 125 (Tex. 1984) (noting "statutory mandates" should be "strictly construed"); *Brown v. Walker*, 377 S.W.2d 630, 632 (Tex.1964) (disqualifying candidate who mailed application by regular mail because applications sent before, but received after, the deadline must be sent via certified or registered mail); *Canady v. Democratic Executive Comm. of Travis County*, 381 S.W.2d 321, 324 (Tex.1964) (disqualifying candidate who listed his legal address as one outside the relevant precinct); *Burroughs v. Lyles*, 142 Tex. 704, 181 S.W.2d 570, 573 (1944)."

*In re Francis*, 186 S.W.3d 534, 538 at fn 15 (Tex. 2006).

The law is clear that because all 39 of Mr. Whitby's petitions lack the "Place 1" designation, all 39 pages are invalid. Accordingly, his application must be rejected.

16. Mr. Whitby's omission was not due to his lack of knowledge. He was clearly aware that he was making an application for the Justice of the Peace Precinct 4, Place 1 position, as his "Application for a Place on the General Primary Ballot" clearly designates the office sought as "Bexar County Justice of the Peace Precinct 4, Place 1." The Bexar County Elections Department clearly recognizes that these are two distinct offices for Justice of the Peace. Further, the ballot from the 2018 General Election also clearly identifies the office designation as the "Justice of the Peace, Precinct 4, Place 1." *See* Media Report, Bexar County Texas, Official Reports (Appendix Exhibit 4).

17. Similarly, Garcia made the same error on her application. Her application should also be similarly rejected. "[C]andidates must bear ultimate responsibility for filing a proper application and petition." *In re Francis*, 186 S.W.3d 534 at 541 (Tex.2006) (orig. proceeding). Each candidate is responsible for the contents of their application. *See Id.* at 543 (holding that former argued availability of limited opportunity to cure "does not absolve candidates of the need for diligence and responsibility in their filings; party chairs must only notify them of defects, not do their work for them"); *see also Escobar v. Sutherland*, 917 S.W.2d 399, 405 (Tex. App. -- El Paso 1996, orig. proceeding) ("[I]n the end, it is the candidate who must insure that the application complies with established law. If the candidate does not, he is at risk of having his candidacy rejected; if not by the County Chair, then by the courts."); *Risner v. Harris Cnty. Republican Party*, 444 S.W.3d 327, 344-345 (Tex. App. 2014).

18. Texas courts have used a simple distinction to determine who should suffer the consequences of failing to follow the election code. If the failure to comply with the election code is something within the candidate's control, as in the present case, the candidate is kept off the ballot. *In re Parsons*, 110 S.W.3d 15, 16 (Tex. App. -- Waco 2002, no pet.), citing *Gibson*, 960 S.W.2d at 421. The error in both of the applications involved herein were errors by the candidates, particularly because of their late filing as in the *Parsons* case. There is no contention the errors involved herein were that of an election official.

19. Under these facts, Chairwoman Alcantara has no choice but to reject the applications, as her duty is both mandatory and ministerial, but she has failed to do so. The Texas Supreme Court has emphasized that the sections of the Election Code dealing with candidacy for political office are mandatory and are to be strictly enforced. *Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex. 1986) (orig. proceeding). "The party chair's duty to determine whether an application for a place on the ballot complies with the statutory requirements is ministerial." *In re Triantaphyllis*, 68 S.W.3d 861, 869 (Tex. App. -- Houston [14th Dist.] 2002, orig. proceeding). The Texas Supreme Court has further made it clear that "[i]f a candidate's application does not comply with the Code's requirements, the party chair has no discretion but to reject the application and remove the candidate's name from the candidate list. TEX. ELEC. CODE §§ 141.032(e), 172.029(d); *Escobar v. Sutherland*, 917 S.W.2d 399 at 406 (Tex. Civ. App. -- El Paso 1996, orig. proceeding); *In re Gamble*, 71 S.W.3d 313 (Tex. 2002). Thus, under both the Election Code and the Texas Supreme Court's

interpretation of the Code, Chairwoman Alcantara, as the Chair of the Bexar County Democratic Party must reject Mr. Whitby's and Ms. Garcia's application.

20. Moreover, should Chairwoman Alcantara determine that she should, as the Democratic Party Chair, wish to afford an opportunity for cure, she has no authority to accept an amended application after the filing deadline. The Texas Election Code, § 172.0222 provides that:

(I) After the filing deadline:

(1) a candidate may not amend an application filed under Section 172.021; and

(2) the authority with whom the application is filed may not accept an amendment to an application filed under Section 172.021.

Tex. Election Code Sec. 172.0222 (emphasis added).

### **The Election Code Prohibits Amendments or Corrections After the Filing Deadline**

21. Borrowing largely from the opinion in *Risner v. Harris County Republican Party*, 444 S.W.3d 327 (Tex. App. -- Houston [1<sup>st</sup> Dist.] 2014, no pet.), it is clear the Chairwoman and/or any court may not allow for the correction or amendment of any application; they must be rejected. As set out, prior to 2011, the Texas Election Code neither specifically authorized nor specifically prohibited amendments to applications for positions on a ballot after the filing deadline for such applications. Instead, the Code merely required that a candidate's application "be timely filed with the appropriate authority." TEX. ELEC. CODE Ann. § 141.031(a)(3). The Code further required a party chair to review the application within either five days or "as soon as practicable," to reject any non-compliant



application, and to immediately notify the candidate of the reason for the rejection. Id. § 141.032(a), (b), ( c), (e).

22. In *In re Gamble*, *In re Francis*, and *In re Holcomb*, the Texas Supreme Court construed the statutory provisions, in conjunction with the statutory authorization in Texas Election Code section 273.081 to grant equitable relief to persons being harmed by violations of the code, to authorize courts to grant equitable relief and to allow a candidate whose application contained facial defects to cure his or her defective application after the filing deadline when the party chair failed to fulfill his or her statutory obligation to timely review the application and notify the candidate of the defects. See *In re Holcomb*, 186 S.W.3d 553, 555 (Tex.2006) (orig. proceeding); *In re Francis*, 186 S.W.3d 534, 541-43 (Tex.2006) (orig. proceeding); *In re Gamble*, 71 S.W.3d at 317-19. The supreme court further stated, however, that such "candidates should have the same opportunity to cure as they would have had before the deadline passed." *In re Holcomb*, 186 S.W.3d at 555 (emphasis added); see *In re Francis*, 186 S.W.3d at 541, 542 ("Candidates should have the same opportunity to cure as a proper review before the filing deadline would have allowed them"; stating that code allows "party chairs to focus on facial defects and call for correction before the filing deadline"; *In re Gamble*, 71 S.W.3d at 318 ("There would be no purpose to the duty to notify the prospective candidate of defects in his or her application if the intent was not to allow an opportunity to cure those defects, particularly if the defects can be corrected before the filing deadline"; "under limited circumstances, statutory deadlines may be extended to correct an official's violation

of a statutory duty"; and denying relief because "[t]here was no court decision entitling Judge Gamble to amend his application after the statutory deadline"). Consequently, the Election "Code and well-established Texas law" did not, in the absence of a court order, "permit[ ] a party officer to allow a candidate who filed a defective application before the filing deadline to amend his application after the deadline so the party chair can place the candidate on the ballot." *In re Gamble*, 71 S.W.3d at 319 (Baker, J., concurring).

23. In 2011, however, the legislature amended section 141.032 of the Election Code by adding Subsection (g), to state that "a candidate may not amend an application filed under Section 141.031" and "the authority with whom the application is filed may not accept an amendment to an application filed under Section 141.031" after the filing deadline. *See* Act of May 19, 2011, 82d Leg., R.S., ch. 254, § 1, 2011 Tex. Gen. Laws 834, 834 (codified at Tex. Elec. Code Ann. § 141.032(g)).

24. When construing a statute, the court's ultimate goal is to effectuate legislative intent. *See Fresh Coat, Inc. v. K-2, Inc.*, 318 S.W.3d 893, 901 (Tex.2010); *Marks v. St. Luke's Episcopal Hosp.*, 319 S.W.3d 658, 663 (Tex.2010). Under the plain meaning rule, the court reviews the text of the statute, and must determine the legislature's intent from the plain meaning of the words chosen "unless there is an obvious error such as a typographical one that resulted in the omission of a word or application of the literal language of a legislative enactment would produce an absurd result." *Fleming Foods of Tex., Inc. v. Rylander*, 6 S.W.3d 278, 284 (Tex.1999)

(internal citations omitted); see also Tex. Gov't Code Ann. § 311.011(a) (West 2013); *Fresh Coat, Inc.*, 318 S.W.3d at 901; *Cornyn v. Universe Life Ins. Co.*, 988 S.W.2d 376, 378-79 (Tex. App. -- Austin 1999, pet. denied).

25. After the 2011 amendments, the express, unambiguous terms of section 141.032(g) of the Election Code prohibits a candidate from amending an application after the filing deadline and prohibits a party chair from accepting such an amendment. See Tex. Elec. Code Ann. § 141.032(g); Tex. Gov't Code Ann. § 311.016(5) (West 2013) (" 'May not' imposes a prohibition and is synonymous with 'shall not.' "). The statute does not contain an obvious error, and application of the literal language of the statute does not produce an absurd result. See *Fleming*, 6 S.W.3d at 284. Moreover, in the context of the Election Code, the meaning of the statute is clear: a candidate's application must be timely filed with the appropriate authority by the filing deadline and a candidate may only amend the application during the time period in which the candidate is allowed to file a new petition. See TEX. ELEC. CODE Ann. § 141.031(a)(3) (requiring candidate to timely file application), § 141.032(a), (e), (g) (requiring authority with whom application is filed to review application for compliance with procedures, including timeliness of filing, requiring application not timely filed to be rejected, and prohibiting amendments to application after filing deadline). Therefore, the meaning of the statute-candidates are prohibited from filing, and party chairs are prohibited from accepting, amendments to applications after the filing deadline-is clear, and the court may not disregard the express terms of the statute. See *Gonzalez v. Guilbot*, 315 S.W.3d 533, 541

(Tex.2010) ("Our chief aim is to determine and give effect to the Legislature's intent, and where the statutory language is straightforward, it is determinative."); *Fleming*, 6 S.W.3d at 284.

26. Further, when interpreting an amendment to a statute, the court must presume that the legislature intends to change the law. *See Adams v. Tex. State Bd. of Chiropractic Exam'rs*, 744 S.W.2d 648, 656 (Tex. App. – Austin 1988, no writ); *Schott v. Leissner*, 659 S.W.2d 752, 754 (Tex. App. -- Corpus Christi 1983, writ ref'd n.r.e.). The statute was amended by House Bill 1135. Nothing in the legislative history of the bill contradicts the presumption that the legislature intended to change the law. The analysis of the House Committee Report states that the bill "amends the Election Code to prohibit a candidate for public office from amending an application for a place on the ballot ... and to prohibit the authority with whom the application or petition is filed from accepting an amendment to the application or petition after the filing deadline." House Committee on Elections, Bill Analysis, Tex. H.B. 1135, 82d Leg., R.S. (2011). In addition, according to the bill analysis of the bill as engrossed, the bill "amends current law relating to an application to run for political office." Senate Committee on State Affairs, Bill Analysis, Tex. H.B. 1135, 82d Leg., R.S. (2011). Because the court must presume that the legislature was aware of the aforementioned case law, which only allowed a candidate to file an amendment to his or her application for a position on the ballot after the filing deadline if the candidate obtained a court decision entitling the candidate to file such an amendment, the court must conclude that the legislative history, indicating that the amendment to section

141.032 "amends current law," supports the presumption that the legislature intended to change the existing law. *See In re Allen*, 366 S.W.3d 696, 706 (Tex.2012) (orig. proceeding) ("We presume that the Legislature is aware of relevant case law when it enacts or modifies statutes."); *In re Gamble*, 71 S.W.3d at 319 (denying relief for candidate seeking to remain on ballot because "[t]here was no court decision entitling Judge Gamble to amend his application after the statutory deadline"); *Acker v. Tex. Water Comm'n*, 790 S.W.2d 299, 301 (Tex.1990) ("A statute is presumed to have been enacted by the legislature with complete knowledge of the existing law and with reference to it.").

27. This court must conclude that the plain meaning of the statute is unambiguous, that the legislature intended to change the law, and that the legislature enacted subsection 141.032(g) with the intent to prohibit a candidate from filing, and the authority with whom an application is filed from accepting, an amended application for a place on the ballot after the statutory filing deadline. As a result, the court must construe subsection 141.032(g) to prohibit the trial court or Chairwoman in this case from granting a candidate an opportunity to file an amended application and from requiring a party chair to accept an amended application after the filing deadline. *See In re Wilson*, 421 S.W.3d 686, 689 (Tex. App. – Fort Worth 2014, orig. proceeding) (denying petition for writ of mandamus to compel chair of Tarrant County Democratic Party to include candidate's name on ballot and stating that "it appears that the legislature has foreclosed the opportunity to cure any defects in an application or petition discovered after the filing deadline").

28. The statutes and the caselaw are clear that in this case, Chairwoman Alcantara, as the Bexar County Democratic Chair, has a mandatory and ministerial duty to reject Mr. Whitby's and Ms. Garcia's application and must refrain from allowing and/or providing for correction or amendment of the submitted applications.

**3. RELIEF REQUESTED AND REQUEST FOR EMERGENCY STAY**

29. Relator requests leave to file this Petition For Writ of Mandamus.

30. Relator further and alternatively request that the court enter temporary orders staying any placement of the two candidates addressed herein, candidate Whitby and/or candidate Garcia, from being placed on the ballot for the election for Bexar County Justice of the Peace, Precinct 4, Place 1, until this matter is determined.

31. Because the certification of the ballot must be filed with the Secretary of State by close of business on December 17, 2021, it is requested that the court stay any certification of the ballot by Alcantara or any representative of her office for Bexar County Justice of the Peace, Precinct 4, Place 1, staying the placement on the ballot or drawing for a place on the ballot for the candidates and/or temporarily abating or preventing their certification or placement on the ballot or drawing for their place on the ballot, until such time as this court can review and decide this mandamus action.

32. Relator further and alternatively requests that this Court issue a writ of mandamus to the Chairwoman Alcantara ordering Alcantara to reject the applications for candidate Whitby and/or candidate Garcia in order to allow for proper review by the court and/or, alternatively, to order that she reject the applications , in whole or

in part, as this court may deem appropriate, and for all other relief, temporary or otherwise, this court deems appropriate.

**Respectfully submitted,**

**PONCIO LAW OFFICES  
A Professional Corporation  
5410 Fredericksburg Road #109  
San Antonio, Texas 78229-3550  
Telephone: (210) 212-7979  
Facsimile: (210) 212-5880**

**/s/ Adam Puncio**

**BY: \_\_\_\_\_  
Adam Puncio  
State Bar No. 16109800  
salaw@ponciolaw.com**

**ATTORNEYS FOR RELATOR**

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon all parties by the court's filing system, hand delivery and/or email as follows:

Ms. Monica Alcantara - by Hand Delivery  
Chairwoman, Bexar County Democratic Party  
1844 Fredericksburg Road  
San Antonio, Texas 78201

Albert Whitby - albertwhitby@gmail.com  
c/o Bexar County Democratic Party  
1844 Fredericksburg Road  
San Antonio, Texas 78201

Michele Carey Garcia - michelegarcia64@gmail.com  
c/o Bexar County Democratic Party  
1844 Fredericksburg Road  
San Antonio, Texas 78201

on this 16<sup>th</sup> day of December, 2021

### **CERTIFICATE OF COMPLIANCE**

Pursuant to Texas Rule of Appellate Procedure 9.4(i)(3), I hereby certify that this petition contains 5,079 words, excluding the words not included in the word count under the rules, or 17 pages, excluding the pages not included in the page count under the rules, pursuant to Texas Rule of Appellate Procedure 9.4(i)(1). This is a computer generated document created in Word Perfect X8, using 14-point typeface for all text, except for footnotes which are in 12-point typeface. In making this certificate of compliance, I am relying on the word count provided by the software used to prepare the document.

/ s /      A d a m   P o n c i o

A d a m                  P o n c i o



### **Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Angela Zepeda on behalf of Adam Poncio  
Bar No. 16109800  
angelazepeda@ponciolaw.com  
Envelope ID: 60094751  
Status as of 12/16/2021 2:16 PM CST

#### **Case Contacts**

<b>Name</b>	<b>BarNumber</b>	<b>Email</b>	<b>TimestampSubmitted</b>	<b>Status</b>
Albert Whitby		albertwhitby@gmail.com	12/16/2021 1:02:59 PM	SENT
Michele CareyGarcia		michelegarcia64@gmail.com	12/16/2021 1:02:59 PM	SENT
Adam Poncio		salaw@msn.com	12/16/2021 1:02:59 PM	SENT
Catherine Poncio		cponcio@ponciolaw.com	12/16/2021 1:02:59 PM	SENT
Angela Zepeda		angelazepeda@ponciolaw.com	12/16/2021 1:02:59 PM	SENT

**NO. 04-21-00558-CV**

FILED IN  
4th COURT OF APPEALS  
SAN ANTONIO, TEXAS  
12/16/21 2:43:48 PM  
MICHAEL A. CRUZ  
Clerk

**\* \* \***

**IN THE COURT OF APPEALS  
FOURTH SUPREME JUDICIAL DISTRICT  
SAN ANTONIO, TEXAS**

**\* \* \***

**IN RE ROGELIO LOPEZ, JR.,  
BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1  
RELATOR**

**\* \* \* \***

**APPENDIX TO EMERGENCY PETITION FOR WRIT OF MANDAMUS**

**\* \* \* \***

**Adam Poncio  
State Bar No. 16109800  
PONCIO LAW OFFICES  
A Professional Corporation  
5410 Fredericksburg Road #109  
San Antonio, Texas 78229-3550  
Telephone: (210) 212-7979  
Facsimile: (210) 212-5880  
salaw@ponciolaw.com**

**ATTORNEYS FOR RELATOR**

December 16, 2021

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# EXHIBIT 1

**AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)**<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEXAS), COUNTY OF (CONDAO DE) Bexar, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) Caroline Roca personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) Caroline Roca, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en la concurrencia de la inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO

X [Signature]  
Signature of circulator (Firma de la persona que hizo circular la petición)

X [Signature]  
Signature of officer administering oath (Firma del/de la funcionario/a al que le tomó juramento)

X Notary Public  
Title of officer administering oath (Título del/de la funcionario/a al que le tomó juramento)

**INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)**

**NOTARY PUBLIC STATE OF TEXAS**  
Comm. Expires 11-09-2025  
Notary ID: 12810139

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whitty Page 1 of 1

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whitty to have their name placed on the ballot for the office of Justice of the Peace Prec 4 for the  
Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitty para que su nombre aparezca en la boleta como candidato(a) al puesto de  
en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo.  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

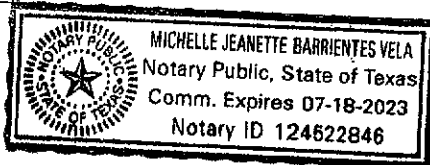
Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
10/23/2021		James Amerson	1107 Virginia Blvd San Antonio, TX	18203 Bexar		10-07-64
10/23/2021		Forest Walker	101 Virginia Blvd San Antonio, TX	78203 Bexar		2-10-82
3-26-28		ANDREA HOGAN	4032 E. Southcross	78222		10-23-21
3-23-21		Jasmine Williams	12470 Starcrest Dr	78216		10/28/94
3-23-21		Nneke Cleaver	1331 W. Kinard	78218		10/25/74
10/31/21		Hetticia Willard	2007 McCullugh SATX	78212		5/3/60
10/31/21		Herlinda Cortez	1806 McKinley Ave	78210		9/7/1971
10/31/21		Terrence L. Hefield	2929 R. G. Sby #2306 SATX	78222		11/9/1969
10/31/21		Terrence L. Hefield	322 Hudson	78202		8/24/62

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert Whitty, (name of person who circulated petition.) - (nombre de la persona que hizo circular la petición) BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscritor(a), en  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la  
atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada  
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X   
Signature of Circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/la funcionario(a) que le tomó juramento)

X Notary Public, State of Texas  
Title of officer administering oath (Título oficial del/la funcionario(a) que le tomó juramento)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whithy Page 2 of 35

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whithy to have their name placed on the ballot for the office of Justice of the Peace #4 for the  
primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whithy para que su nombre aparezca en la boleta como candidato(a) al puesto de  
en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Número de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
10/31/2024		Mary Henefer	8806 Starcrest Dr #310 78217	Betar		11/30/72
10/31/21		Travis John	814 Chicago Blvd	S.A		
10/31/21		Jasmine Amerson	914 Chicago Blvd	Bexar		6/1/2000
10/31/21		Kaitlyn Amerson	814 Chicago Blvd	Bexar		10/08/58
10/31/21		Rachel Rebecca	726 Dawson Street	Bexar		5/4/90
10/31/21		Oliver H. II, Jr.	5007 Stoneleigh	Bexar		1/26/68
10/31/21		Tammy Y. Fesque	11850 Sandman St	Bexar		9/20/68
10/31/2024		Miguel A. Pablos	508 N. Center St.	Bexar		05/15/1979

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert Whithy, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la  
atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada  
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

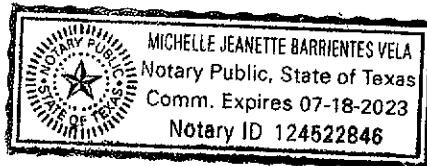
Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/le la funcionario(a) que le tomó juramento)

X

Notary Public State of Texas

Title of officer administering oath (Título oficial del/le la funcionario(a) que le tomó juramento)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whitley Page 3 of 3

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitley to have their name placed on the ballot for the office of Justice of the Peace Pct 4 for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitley para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace Pct 4 en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/11/21	Jose Landeros	Jose Landeros	811 Larry	Bexar		12-20-84
12/11/21	<del>Alfonso</del>	Alejandro Ibarra	811 Larry	Bexar		10/16/02
12/11/21	Hector	Hector Landeros	811 Larry	Bexar		10/10/04
12/11/21	Shantal Rosillo	Shantal Rosillo	803 Larry	Bexar		12/15/21
12/11/21	Alexandra Constanto	Alexandra Constanto	803 Larry	Bexar		2/12/21
12/11/21	Aaron Rosillo	Aaron Rosillo	803 Larry	Bexar		2/12/21
12/11/21	Charles Walker	Charles Walker	314 Muegge St	Bexar		4/22/49
12/11/21	Alfonso A. Venotze	Alfonso A. Venotze	417 Muegge St	Bexar		7/6/92
12/11/21	Alfonso A. Venotze	Alfonso A. Venotze	410 Muegge St	Bexar		4-1-57
12/11/21						

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) Albert Whitley, (name of person who circulated petition,) -- (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

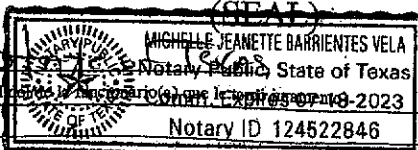
Signature of circulator (Firma de la persona que hizo circular la petición)

X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

X

Notary of Public



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL -- para efectos de elecciones primarias)

Name of Circulator Albert Whitty Page 4 of 59

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitty <sup>1</sup> to have their name placed on the ballot for the office of Justice of the Peace PC44 <sup>2</sup> for the Democrat <sup>3</sup> primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitty <sup>1</sup> para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace PC44 <sup>2</sup> en la elección primaria del Partido Democrat <sup>3</sup>. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/11/21		Pamela Y Money	12727 Sandpiper Lake Dr Tx 78233	Bexar		7/19/1965
12/11/21		Sylvia Butler	3910 Key West Way Converse TX	Bexar		11/01/52
12/11/21		Janice Flowers	4423 Mercury Dr 78219	Bexar		3/11/44
12/11/21		BRENDA Smith	3580 Goliad Rd #426	Bexar		4/28/1957
12/11/21		OTTO C. USHER	4406 Chesapeake	BEXAR	11/20/42	4/07/1942
12/11/21		BERNETTA WHITE	6710 Windfield Gap Converse TX 78109	BEXAR		12-17-1959
12/11/21		MELVIN WHITE	6710 Windfield Gap Converse TX 78109	BEXAR		8-22-1960
12/11/21		Ross W Tansal	6702 Windfield Gap Converse TX 78109	Bexar	9/19/59	09-20-58
12/11/21		STEVE ROSALES	3619 Bolden Fields	Bexar		12-10-21
12/11/21		Francisco Flores	3711 Bolden Fields	Bexar	9/1/71	0901-2022?

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) Albert Whitty, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

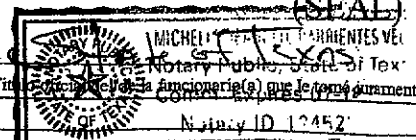
Signature of circulator (Firma de la persona que hizo circular la petición)

X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

X

Title of officer administering oath (Título del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whitty Page 5 of 19

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitty to have their name placed on the ballot for the office of Justice of the Peace pc4 for the  
primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a  
en la elección primaria del Partido. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/8/2021		Montrel Phillips	331 Herb Avenue SA, TX 78220			03/15/1989
12/8/2021		Tom Williams	1903 Hays #101 SA, TX 78202	Bexar		1/5/74
12/8/2021		Fernando Sohn	8514 Crinum Lily Dr 78109	Bexar		6/18/75
12/8/2021		Alanna Sohn	8514 Crinum Lily Drive 78109	Bexar		08-03-76
12/10/21		Leticia Jackson	404 Regal View SATX 78220	Bexar		3/21/73
12/10/21		Cynthia B. Shaw	9802 Autumn Arbor Converse 78109	Bexar		12/23/59
12/10/21		Desiree Caudill	7626 Crestway Rdg. SATX 78244	Bexar		06/03/85
12/10/21		John Campos	10126 SHAWNEE BLF, CONVERSE, TX 78109	Bexar		10/8/82
12-10-21		Laura T. Mills	2707 Sea Pointe Converse, TX 78109	Bexar		10-14-58
12-12-21		Tamika Stevens	5910 ACACIA FARM SAN ANTONIO TX 78244	Bexar		07-08-1978

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) Albert Whitty, (name of person who circulated petition.) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

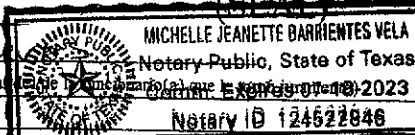
Signature of circulator (Firma de la persona que hizo circular la petición)

X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

X

Title of officer administering oath (Título oficial del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

**PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)**

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whitby Page 6 of 34

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

**COMPLETE ALL BLANKS. (LENE TODOS LOS ESPACIOS EN BLANCO.)**

**This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)**

"I know that the purpose of this petition is to entitle Albert Charles Whitby to have their name placed on the ballot for the office of Justice of the Peace Pct 4 for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Charles Whitby para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/10/21	<u>Chris Dawkins</u>	Chris Dawkins	3302 Vista Lake	Bexar		01-20-1955
12/10/21	<u>Kevin Johnson</u>	Kevin Johnson	10226 Green Lake St.	BEXAR		02-27-77
12/10/21	<u>Wendy Yarbrough</u>	Wendy Yarbrough	10226 Green Lake	Bexar		06-15-68
12/10/21	<u>Carla D. Walker</u>	Carla D. Walker	3435 Belknap SA TX 78219	Bexar		11-23-58
12/10/21	<u>John Owens</u>	John Owens	6718 Lake Cliff SA TX 78219	BEX		4-11-51
12/10/21	<u>James P. Amerson</u>	James P. Amerson	1107 Virginia Blvd. SA TX 78203	Bexar		10/03/64
12/10/21	<u>Leonora Walker</u>	Leonora Walker	4551 Dietrich Rd #202 78219	Bexar	1/14/49	1-14-51
12/10/21	<u>Terry Tenell</u>	Terry Tenell	822 S. Givers St SA TX 78203	Bexar		1-14-50
12/10/21	<u>Tamara Glen</u>	Tamara Glen	6918 E. Sunbelt Dr. SA TX 78218	Bexar		9-9-57
12/10/21	<u>Herman Booker</u>	Herman Booker	2334 Austin HWY #1309 SA TX 78218	Bexar		11-25-86

**AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>**

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 2/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) Albert Whitby, (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

Signature of circulator (Firma de la persona que hizo circular la petición)

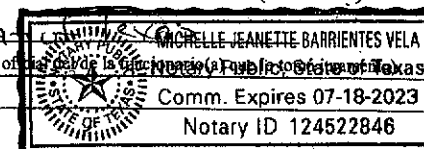
X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

X

Title of officer administering oath (Título de funcionario(a) que le tomó juramento)

(SEAL)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whitty Page 7 of 74

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitty to have their name placed on the ballot for the office of Justice of the Peace Prec 4 for the primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a para que su nombre aparezca en la boleta como candidato(a) al puesto de en la elección primaria del Partido. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-9-21		GIOVANNI RAMIREZ	1131 virginia blvd	BX		04-23-94
12-9-21		samantha Jaramillo	1131 virginia blvd	BX		01-24-96
12-9-21		Veronica J Davila	1110 Virginia Blvd	BX		05-25-88
12-9-21		Forrest Watkins	1101 virginia Blvd	BX		2-10-82
12-9-21		JJ Harris	3423 chateau, pr	BX		10-03-80
12-9-21		Cassandra Moss	1101 Virginia Blvd	BX		11-25-61
12-10-21		James P. Amerson	1107 Virginia Blvd	Bexar		10/03/64
12-10-21		Chasity Russell	9142 Portobello way	Bexar		02-04-76
12-10-21		Darrell Russell	9142 Portobello way	Bexar		7-30-75
12-10-21		Hays Henderson Jr	9151 Portobello way	Bexar		1-2-88

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12-13-21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) Albert Whitty (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE 12-13-21 (FIRMADO Y SUSCRITO ANTE MÍ CON ESTA FECHA)

X

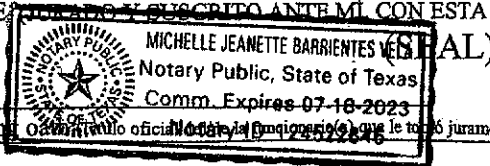
Signature of circulator (Firma de la persona que hizo circular la petición)

X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

X

Title of officer administering oath (Cargo del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)

(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whitby Page 8 of 39

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COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitby<sup>1</sup> to have their name placed on the ballot for the office of Justice of the Peace PL49<sup>2</sup> for the Democrat<sup>3</sup> primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitby<sup>1</sup> para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace PL49<sup>2</sup> en la elección primaria del Partido Democrat<sup>3</sup>. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-10-21		Jermyn Henderson	9151 Portobello Way			
12-10-21		Robin Randall	4815 Marylebone Ave			
12/10/21		Jerry Randall	4815 Marylebone Ave			
12/10/21		Andrew Jackson	207 Tomrob	Bexar		10/02/1962
12/10/21		Theresa Wiken	6018 Ashleaf Spgs SA	Bexar		11-30-64
12/10/21		DAVID K HARRIS	655 Yucca ST	Bexar		8/13/59
12/10/21		Larry Hayes	4307 Bridgeport way SA			2-4-52
12/10/21		CORA CLAY	4306 Shiloh Dr	Bexar		2-10-62
12/10/21			1222 Manseilles	Bexar		04/17/1970
12/10/21			3663 Versailles	Bexar		08/28/1943

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

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X

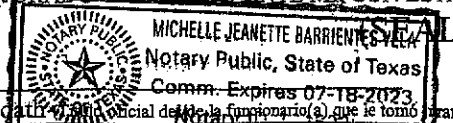
Signature of circulator (Firma de la persona que hizo circular la petición)

X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Notary Public

Title of officer administering oath (Cargo del/de la funcionario(a) que le tomó juramento)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whitty Page 9 of 74

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

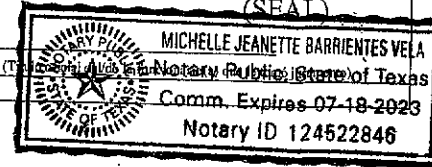
This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whitty to have their name placed on the ballot for the office of Justice of the Peace 4th for the  
Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitty para que su nombre aparezca en la boleta como candidato(a) al puesto de  
2 en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
10/17/50	<u>Fred A. Fann</u>	210870-5469	1955 LAMAR ST. SAN ANTONIO TX	BEXAR		10/17/50
10-17-21	<u>Lucia Harris</u>	210 227-4112	1956 LAMAR SAN ANTONIO TX	BEXAR		3-14-70
10-17-21	<u>DeBRA JONES</u>	210 274-4981	822 CLOVER CROSSING	BEXAR		10-31-54
10-17-21	<u>Melissa Johnson</u>	210-227-4112	1955 Lamar	BEXAR		9-18-87
10-17-21	<u>Michael Briggs</u>	Michael Briggs	1950 Lamar, S.A. TX	BEXAR		8/13/1971
10-17-21	<u>GARY McKNIGHT</u>	GARY McKNIGHT	1947 LAMAR, SA TX	BEXAR		3/26/1957
10-17-21	<u>Kristal Stohr</u>	Kristal Stohr	121 Sunway Dr SA TX 78232	BEXAR		12/05/84
10-17-21	<u>Eric Rodriguez</u>	Eric Rodriguez	338 E Drexel Ave SA TX 78201	BEXAR		08/28/85
10-17	<u>Jonathan Bole</u>	Jonathan Bole	4550 Lavender Lane	BEXAR		
10-17	<u>St. Parle</u>	<u>St. Parle</u>	Kijana Park 5315 Gowan	BEXAR		

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)  
STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) BEXAR  
esta (fecha) compareció Albert Whitty (name of person who circulated petition.) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la  
atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada  
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X  
Signature of circulator (Firma de la persona que hizo circular la petición)  
Signature of officer administering oath (Firma del/la funcionario(a) que le tomó juramento)  
Title of officer administering oath (Cargo del/la funcionario(a) que le tomó juramento)  
(SEAT)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)





PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whitley Page 10 of 24

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENAR TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whitley to have their name placed on the ballot for the office of Justice of the Peace for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitley para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>1</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
10/22	[Signature]	SOAN DILL	10703 Arroyo St. San Antonio TX 78240	Bexar		11/12/87
10/23	[Signature]	Franco Garcia	370 W. (hwy) SATX 78228	Bexar		2/1/86
10/23	[Signature]	Jamichael Ferguson	5803 Danny Kaye HOZ 78240	Bexar		08-8-1984
10/23	[Signature]	TRE VAUGHN SAORS	3304 X STREET	BEXAR		02/02/90
10/23	[Signature]	Gregory Brown	2502 Babcock rd.	Bexar		04/04/88
10/23	[Signature]	Michael Ayala	113 GUY ST	Bexar		9/22/92
10/23	[Signature]	John Medina	1200 Town Street	Bexar		11/07/96
10/23	[Signature]	[Signature]	1131 Virginia Blvd	Bexar		01/20/1990
10/23	[Signature]	[Signature]	1127 Virginia Blvd			
10/23	[Signature]	Breanna	1190 Laurel St	Bexar		12/08/87

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)  
STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció Albert Whitley, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

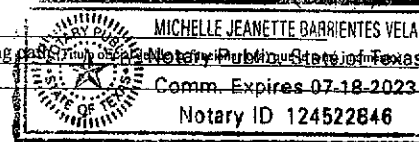
X

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Title of officer administering oath (Cargo del/de la funcionario(a) que le tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



**PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)**  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL -- para efectos de elecciones primarias)

Name of Circulator Albert White Page 11 of 29

**Signing the petition of more than one candidate for the same office in the same election is prohibited.** (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
**COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)**

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert White to have their name placed on the ballot for the office of Justice of the Peace for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert White para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

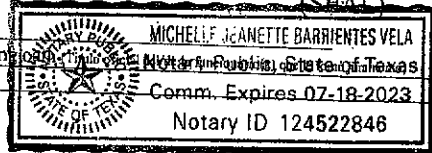
Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
10/17/21	<u>Steven Garcia</u>	<u>Steven Garcia</u>	<u>1827 Burnett St</u>	<u>Bexar</u>		
10/17/21	<u>Milton Perryman</u>	<u>MILTON PERRYMAN</u>	<u>1834 BURNET</u>	<u>BEXAR</u>		<u>09/20/1913</u>
10/17/21	<u>Lewis A. Reitor</u>	<u>LEWIS A. REITOR</u>	<u>1807 BURNET ST</u>	<u>BEXAR</u>		
10-17-21	<u>Earlene Smith</u>	<u>Earlene Smith</u>	<u>321 Blue Bonnet St</u>	<u>Bexar</u>		<u>30 JAN 27</u>
10/17/21	<u>William C. Canning</u>	<u>William C. Canning</u>	<u>301 Blue Bonnet St</u>			
10/17/21	<u>Willie Price</u>	<u>Willie Price</u>	<u>214 Blue Bonnet St</u>	<u>Bexar</u>		
10/17/21	<u>Deborah Henderson</u>	<u>Deborah Henderson</u>	<u>1510 Virginia St</u>	<u>Bexar</u>		<u>09/22/74</u>
10/17/21	<u>Michelle Price</u>	<u>Michelle Price</u>	<u>214 Blue Bonnet St</u>	<u>Bexar</u>		<u>01/29/1977</u>

**AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)**  
STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
I, Albert White, (name of person who circulated petition,) -- (nombre de la persona que hizo circular la petición) BEFORE ME, the undersigned, on this 2/22 (date) personally appeared (ANTE MI, el/la suscritor(a), en esta (fecha) compareció Albert White, (name of person who circulated petition,) -- (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X Albert White Signature of Circulator (Firma de la persona que hizo circular la petición)

X Michelle Price Signature of officer administering oath (Firma del/los funcionario(s) que le tomó juramento)

Notary Public Title of officer administering oath (SEAL)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert White Page 12 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert White to have their name placed on the ballot for the office of Justice of Peace Precinct 4 for the Democratic primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert White para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of Peace Precinct 4 en la elección primaria del Partido Democratic. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/12/21	<u>[Signature]</u>	Diego Alvarado	542 Dorie St, TX. 78220	Bexar		8/11/1998
12/12/21	<u>[Signature]</u>	Samuel Iovar	5365 Southcross Ranch Rd 78222	Bexar		8/05/1999
12/12/21	<u>[Signature]</u>	ROBERTO GARCIA	2818 IH 35	BEXAR		08/03/1990
12/12/21	<u>[Signature]</u>	Kelvin McRister	2818 IH 35 W Apt 1307	Bexar		12/19/60
12/12/21	<u>[Signature]</u>	Abigail Ledezma	714 Larry St. 78202	Bexar		12/9/57
12/12/21	<u>[Signature]</u>	CLARA GARCIA	707 Larry St. 78202	Bexar		4/8/1922
12/12/21	<u>[Signature]</u>	Margarita Gutierrez	319 Muegge St 78202	Bexar		2/23/79
12/12/21	<u>[Signature]</u>	Jimmie Bess	326 Muegge St 78202	Bexar		5/15/1931
12/12/21	<u>[Signature]</u>	Mary Ann	403 Muegge St 78202	Bexar		2/6/1971
12/12/21	<u>[Signature]</u>	Monica Munillo	418 Muegge St APT 78202	Bexar		12/12/21

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/30/21 (date) personally appeared (ANTE MÍ, el/la suscrito(a), en esta (fecha) compareció) Albert White (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición,) – (nombre de la persona que hizo circular la petición,) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X [Signature] Signature of circulator (Firma de la persona que hizo circular la petición)  
X [Signature] Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)  
Notary Public Title of officer administering oath  
MICHELLE JEANETTE BARRIENTES VELA  
Notary Public, State of Texas  
Comm. Expires 07/18/2023  
Notary ID 124522846

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert White Page 13 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert White to have their name placed on the ballot for the office of Justice of the Peace Party for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert White para que su nombre aparezca en la boleta como candidato(a) al puesto de Democrat en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-12-21	<u>Sammie Boyd</u>	Sammie Boyd	4523 LAUNDAR LN 78220	BEXAR	1063693835	5-30-42
12-12-21	<u>Evelyn Dancy</u>	EVELYN DANCY	4523 LAUNDAR LN 78220	BEXAR		5-24-63
12-12-21	<u>Evelyn Dancy</u>	EVELYN DANCY	4523 LAUNDAR LN 78220	BEXAR		2-7-33
12-12-21	<u>Edwards Lopez</u>	Edwards Lopez	4523 LAUNDAR LN 78220	BEXAR		9-24-46
12-12-21	<u>Leroy Benson III</u>	LEROY BENSON III	4523 LAUNDAR LN 78220	BEXAR		11-01-1982
12-12-21	<u>Mario Monreal</u>	MARIO MONREAL	4523 LAUNDAR LN 78220	BEXAR		10-01-70
12-12-21	<u>Willie Terrell Gipson</u>	Willie Terrell Gipson	4523 LAUNDAR LN 78220	BEXAR		7-10-62
12-12-21	<u>Victor H. Hutto</u>	Victor H. Hutto	4523 LAUNDAR LN 78220	BEXAR		09-23-1932
12-12-21	<u>Kenneth Thomas</u>	Kenneth Thomas	4523 LAUNDAR LN 78220	BEXAR		9-30-45
12-12-21	<u>Kenneth Thomas</u>	Kenneth Thomas	4523 LAUNDAR LN 78220	BEXAR		8-17-1962

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) BEXAR BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MÍ, el/la suscritor(a), en esta (fecha) compareció) Albert White, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

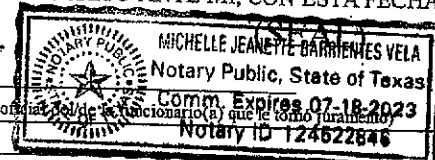
Signature of circulator (Firma de la persona que hizo circular la petición)

X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Title of officer administering oath (Título del/de la funcionario(a) que le tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whithy Page 14 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whithy <sup>1</sup> to have their name placed on the ballot for the office of Justice of the Peace Per 4 <sup>2</sup> for the Democrat <sup>3</sup> primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Justice of the Peace para que su nombre aparezca en la boleta como candidato(a) al puesto de <sup>2</sup> en la elección primaria del Partido <sup>3</sup>. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-11-21	<u>Bhenda Johnson</u>	Bhenda Johnson	3706 Beldon Fields Converse TX 78109	Bexar		1-16-76
12-11-21	<u>Pat Cain</u>	PAT CAIN	4810 Explorer Dr. Kirby TX 78219	BEXAR		11-27-53
12-11-21	<u>Craig Sheppard</u>	CRAIG SHEPPARD	4802 OLD SEGUIN RD. Apt B SAN ANTONIO TX 78219	BEXAR		2-14-59
12-11-21	<u>Matthew Fields</u>	Matthew Fields	4802 Old Seguin Rd Apt B SAN ANTONIO TX	BEXAR		3-24-61
12-11-21	<u>Veronica Carpio</u>	Veronica Carpio	3626 Telstar Apt D Kirby TX 78219	BX		3-19-84
12-11-21	<u>Marvin Roy</u>	MARVIN ROY	4806 Explorer Dr Apt D SAN ANTONIO TX	BEXAR		3-21-43
12-11-21	<u>Derek Hillier</u>	Derek Hillier	<del>1353 Rice Rd</del> 1353 Rice Rd. 78220	Bexar		7-29-81
12-11-21	<u>Christian Taylor</u>	Christian Taylor	9135 Portobello Way Converse TX 78109	Bexar		8/20/2000
12-11-21	<u>Terence Marshall</u>	Terence Marshall	4130 King Krest Dr.	Bexar		03-24-1984
12-11-21	<u>Michael Terry</u>	Michael Terry	9027 Sahara Woods	Bexar		04-19-1979

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MÍ, el/la suscrito(a), en esta (fecha) compareció) Albert Whithy, (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

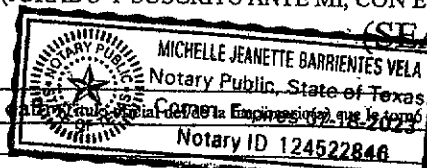
Signature of circulator (Firma de la persona que hizo circular la petición)

X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

X

Title of officer administering oath (Cargo del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

**PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)**  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whitley Page 15 of 39

**Signing the petition of more than one candidate for the same office in the same election is prohibited.** (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

**COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)**

**This statement MUST be read to each person before signing the petition.** (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitley to have their name placed on the ballot for the office of Justice of the Peace for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitley para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-11-21		David Anderson	511 hudson #202 San Antonio TX 78202	Bexar		05/14/92
12-11-21		Elvira MARIN	4523 Lavender #123 San Antonio TX 78220	Bexar		02/19/1959
12-11-21		DONNA JONES	4523 Lavender St	BEXAR		07-05-50
12-11-21		Luqene DAVIS	4523 Lavender LA 311	Bexar		2-8-52
12-11-21		Vernesser Ellis	455 Sterling St.	Bexar		8-6-59
12-11-21		Jennifer SANDERS	4523 Lavender Ln #103	Bexar		7-15-56
12-11-21		Tammy L. DRESNER	4523 Lavender Ln #102	Bexar		11-23-57
12-11-21		Callie Benton	4523 Lavender - 201	Bexar		11-24-55
12-11-21		W. Clark	4523 Lavender Lane Apt. 206	Bexar		9-4-35

**AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>**

STATE OF TEXAS (ESTADO DE TEXAS), COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/12/21 (date) personally appeared (ANTE MÍ, el/la suscritor(a), en esta (fecha) compareció) Albert Whitley, (name of person who circulated petition.) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

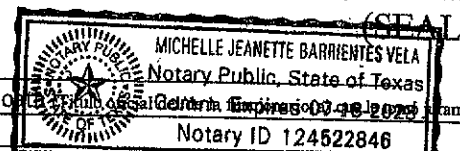
Signature of circulator (Firma de la persona que hizo circular la petición)

X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

X

Title of officer administering oath (Cargo del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whitey Page 16 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whitey to have their name placed on the ballot for the office of Justice of the Peace for the 4th primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitey para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-12-21		Tommie Baker	6711 Pleasant Bay	Bexar		06-17-54
12/12/21		James Baker	6711 Pleasant Bay	Bexar		01-19-43
12/12/21		Kroyan Swetta	2910 Bee Alden Dr	Bexar		12-12-21
12/12/21		James Younger	2830 HARRY WENZBACH RD #1202	BEXAR		10-6-73
12/12/21		Takara Reaves	6939 Ashbury Station	Bexar		6-16-87
12/12/21		Athens Huff	6939 Ashbury Station	BEXAR		2-26-90
12/12/21		Fatouma Konte	1330 Mesquite Creek	Bexar		5-14-89
12/12/21		Vella Barmond	4155 Sunrise			
12/12/21		John Titzing	6310 Kotters Farm SA TX 78244	Bexar		10/13/65
12/12/21		Helen Buckner	4125 Sunrise Cove S.A. TX. 78244	Bexar		02-05-1959

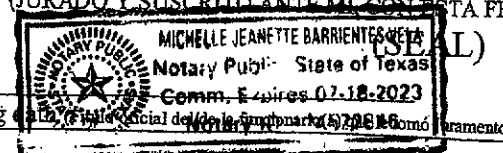
AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12 13 61 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) Albert Whitey, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ CON ESTA FECHA)

X   
Signature of circulator (Firma de la persona que hizo circular la petición)

X   
Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Title of officer administering oath (Cargo del/de la funcionario(a) que le tomó juramento)





PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whithy Page 17 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENAR TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whithy to have their name placed on the ballot for the office of Justice of the Peace for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whithy para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejen de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-12-21	<u>A. Howard</u>	<u>Latop Howard</u>	<u>164 Rooster Rd. S.A. TX 78220</u>	<u>BEXAR</u>	<u>11/13/74</u>	<u>11-13-79</u>
12-12-21	<u>Dwight Johnson</u>	<u>Dwight Johnson</u>	<u>150 FERRIS 78220</u>	<u>BEXAR</u>		<u>6-15-78</u>
12-12-21	<u>ERRY ROGERS</u>	<u>ERRY ROGERS</u>	<u>123 DOWLING AVE. S.A. TX 78201</u>	<u>BEXAR</u>		<u>12-5-70</u>
12-12-21	<u>Raymond Butler</u>	<u>Raymond Butler</u>	<u>250 Shelburn DR. SA Texas</u>	<u>BEXAR</u>		<u>9-22-54</u>
12-12-21	<u>Theodore Jackson</u>	<u>THEODORE JACKSON</u>	<u>1802 PROVIDENCE - SA TEXAS 78220</u>	<u>BEXAR</u>		<u>6-19-1942</u>
12-12-21	<u>Roseana Washington</u>	<u>Roseana Washington</u>	<u>134 Motel DA SA TX 78219</u>	<u>BEXAR</u>		<u>4-12-54</u>
12/12/21	<u>Dina Rayford</u>	<u>Dina Rayford</u>	<u>2919 Sunset Blvd SA, TX 78204</u>	<u>BEXAR</u>	<u>9/19/70</u>	<u>6-8-70</u>
12/12	<u>Tomika Toney</u>	<u>Tomika Toney</u>	<u>2603 PARRIS CYN CYN TX 78209</u>			
12/12/21	<u>Lonnie Price</u>	<u>LONNIE PRICE</u>	<u>233 CHARLIE DR. SATX 78220</u>	<u>BEXAR</u>		<u>2/13/61</u>
12/12/21	<u>Jordan Thompson</u>	<u>Jordan Thompson</u>	<u>164 Rooster RD SA TX 78220</u>	<u>BEXAR</u>		<u>2/14/97</u>

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert Whithy, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

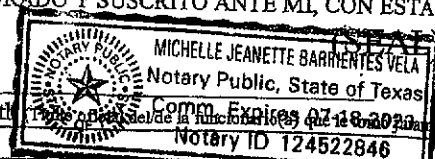
X

Signature of circulator (Firma de la persona que hizo circular la petición)

X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Title of officer administering oath (Cargo del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Lynette Whitby Page 18 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whitby to have their name placed on the ballot for the office of Justice of the Peace for the  
Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitby para que su nombre aparezca en la boleta como candidato(a) al puesto de  
en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-10-21	<u>Lynette Whitby</u>	Lynette Whitby	623 Nellie Ave. SA TX 78220	Bexar		5-9-1958
12-12-21	<u>Maya Dowe</u>	Maya Dowe	619 Nellie San Antonio, TX 78220	Bexar		
12-12-21	<u>Christine Dowe</u>	Christine Dowe	619 Nellie, San Antonio, TX 78220	Bexar		3-19-1949
12-12-21	<u>Devon Wolford</u>	Devon Wolford	2310 E Commerce San Antonio, TX 78203	Bexar	m; 1111	05-13-1992
12-12-21	<u>Edward Wolford</u>	Edward Wolford	2310 E Commerce San Antonio, TX 78203	Bexar		9-22-52
12-12-21	<u>Gracie Wolford</u>	Gracie Wolford	2310 E Commerce San Antonio, TX 78203	Bexar		6-11-49
12-12-21	<u>Barbara Fuller</u>	BARBARA FULLER	1527 GORMAN ST SAN ANTONIO TX 78202	BEXAR		3-18-43
12-12-21	<u>Frances Baucham</u>	Frances Baucham	346 Como St SA TX 78202	Bexar		02-25-51
12-12-21	<u>Anthony R Cook</u>	ANTHONY R COOK	351 Como St SA TX 78220	BEXAR		10-21-54
12-12-21	<u>Rose Cook</u>	Rose Cook	351 Como St SA TX 78220	Bexar		8-14-54

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEXAS), COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/11/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) Lynette Whitby, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ CON ESTA FECHA)

Lynette Whitby  
Signature of circulator (Firma de la persona que hizo circular la petición)

[Signature]  
Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

[Signature]  
Title of officer administering oath (Cargo del/de la funcionario(a) que le tomó juramento)  
MICHELLE JEANETTE BARRIENTOS VELAZQUEZ  
Notary Public, State of Texas  
Comm. Expires 07-18-2023

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

**PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)**  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whithy Page 19 of 39

**Signing the petition of more than one candidate for the same office in the same election is prohibited.** (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
**COMPLETE ALL BLANKS. (LENE TODOS LOS ESPACIOS EN BLANCO.)**

**This statement MUST be read to each person before signing the petition.** (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whithy <sup>1</sup> to have their name placed on the ballot for the office of Justice of the Peace part 2 for the Democrat <sup>3</sup> primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whithy <sup>1</sup> para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace part 2 <sup>2</sup> en la elección primaria del Partido Democrat <sup>3</sup>. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-11-2021		CHARLES RAY JOHNSON	4803 BINZENGLEMAN Rd	BEXAR		1-9-55
12/12/21		Debra J. Sevier	1710 Martin L. King Jr.	Bexar		5-12-89
12/12/21		Jacob Phillips	6235 Still Meade	Bexar		10/07/67
12/11/21		Dorell Craig	4922 Larkhill Farm S	Bexar		10/11/67
12/11/2021		Janet O. Thompson	6827 Congressional Blvd, SATX 78244	Bexar		09/20/1961
12-11-2021		DOMONICK JONES	707 SAINTS RETREAT SATX 78220	BEXAR		08/26/1974
12-11-21		CORTNEY SORMAN	8856 STAGHORN MILL CONVERSE TX 78109	BEXAR		09.27.86
12-12-21		OSCAR L. DRANS	755 LINCOLNSHIRE DR. SATX 78220	Bexar		3-12-76
12-11-21		ONITA MITCHELL	4727 Old Coach Lane SAT 78223	Bexar		6-25-39
12-12-21		Jerlean Shular	1969 FM 1514 S, San Antonio TX 78243	Bexar		10-23-31

**AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>**

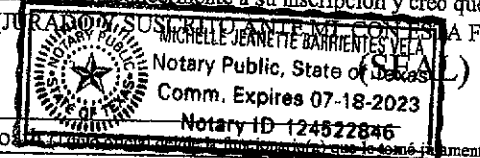
STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/31/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció Albert Whithy, (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURAMENTO SUSCRITO ANTE MI EN ESTA FECHA)

X

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Title of officer administering oath (Cargo del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whitney Page 2 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitney to have their name placed on the ballot for the office of Justice of the Peace per 4 for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitney para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace per 4 en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/10/21		Leon H. Montgomery	4706 Lavender Ln	Bexar		
12/10/21		Francisco Alvarado	4606 Lavender Ln.	Bexar		04-22-68
12/10/21		Cynthia Alvarado	4606 Lavender Ln.	Bexar		09-03-72
12/10/21		Linda Freeman	4602 Lavender Ln	BEXAR		9-7-53
12/10/21		Ernest E. Brown II	4607 Lavender Ln	Bexar		9-22-53
12/10/21		Darlene M. Brown	4607 Lavender Ln.	Bexar		2-13-56
12/10/21		Perry Brown	1015 Pecan Valley Dr.	Bexar		6-10-58
12/10/21		Michael R. Hughes Sr.	1018 Pecan Valley Dr.	Bexar		1-2-67
12/10/21		Roger Eugene Martin	3371 "K" St San Antonio, TX 78220	Bexar		3-3-79
12/10/21		LAMAR Hughes	4427 Vicksburg	Bexar		2-2-69

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

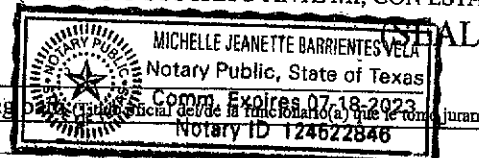
STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/10/21 (date) personally appeared (ANTE MÍ, el/la suscrito(a), en esta (fecha) compareció) Albert Whitney, (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Title of officer administering



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

**PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)**  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whitley Page 2 of 79

**Signing the petition of more than one candidate for the same office in the same election is prohibited.** (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

**COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)**

**This statement MUST be read to each person before signing the petition.** (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitley to have their name placed on the ballot for the office of Justice of the Peace PH 2 for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitley para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace PH 2 en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-10-21	<u>HC Winn</u>	HC WINN	1010 Pecan Valley <u>SAN ANTONIO, TX 78220</u>	BEXAR		11-16-55
12-10-21	<u>LEHMAN THOMPSON</u>	LEHMAN THOMPSON	241 DELMAR ST <u>SAN ANTONIO, TX 78210</u>	BEXAR		12-28-1950
12-10-21	<u>Alvin Arnold</u>	ALVIN ARNOLD	527 Village Row	BEXAR		1-10-58 12-11-51
12-10-21	<u>Isabel Ritey</u>	Isabel Ritey	322 Astoria S. A Tr <u>78220</u>	BEXAR		5-27-57
12-11-21	<u>Angel Beechum</u>	Angel Beechum	322 Astoria Dr SATX <u>78220</u>	BEXAR		08-25-93
12-12-21	<u>Amos Duncan</u>	Amos Duncan	8927 Wolff Vista <u>San Antonio, TX 78109</u>	BEXAR		12-08-93
12-12-21	<u>Toby D Watson</u>	Toby D Watson	9002 Spiral Woods <u>UC, TX 78148</u>	BEXAR		9-25-74
12-12-21	<u>Booker Woods</u>	Booker Woods	7015 Holies Ford <u>78222</u>	BEXAR		5-5-64
12-12-21	<u>Eugene Mitchell</u>	EUGENE MITCHELL	4727 Old Coach <u>78220</u>	BEXAR		2/23/42
12/2/21	<u>Whitney Blackwell</u>	Whitney Blackwell	1969 FM 1516 S. SA <u>78263</u>	BEXAR		3/25/1986

**AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>**

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) BEXAR BEFORE ME, the undersigned, on this 12/11/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) Albert Whitley (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

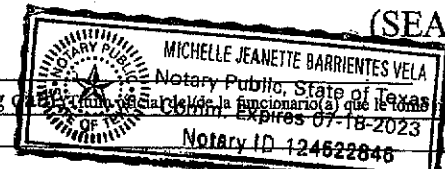
X

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Title of officer administering oath (Cargo del/de la funcionario(a) que le tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whitty Page 22 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENAR TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitty to have their name placed on the ballot for the office of Justice of the Peace Precinct for the primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitty para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace Precinct en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-11-21		Beverly Slaughter	4523 Lavender Ln #204	Bexar		3/11/62
12-11-21		Reginald W. White	4523 Lavender Ln #211	Bexar		11/21/75
12-11-21		Barbara A. White	1533 S.W.W. White	Bexar		11-15-64
12-11-21		Beatha Ashford	4523 Lavender Ln #226	Bexar		12-4/23/49
12-11-21		PATRICIA TORRES	4523 Kaveney Precinct #309	Bexar		
12-11-21		Eric V. Williams	2918 N IH 35	Bexar		31-4-1994
12-11-21		Perla Williams	2818 IH 35	Bexar		9-22-76

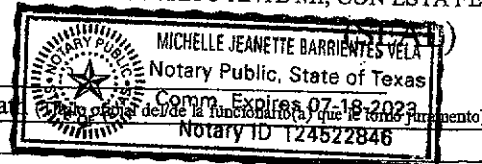
AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció Albert Whitty (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X   
Signature of Circulator (Firma de la persona que hizo circular la petición)

X   
Signature of officer administering oath (Firma de/ de la funcionario(a) que le tomó juramento)

X   
Title of officer administering oath (Cargo de funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whitty Page 24 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitty to have their name placed on the ballot for the office of Justice of the Peace Pet 4 for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a para que su nombre aparezca en la boleta como candidato(a) al puesto de en la elección primaria del Partido . Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-11-21	<u>Dimitri Hardin</u>	<u>Dimitri Hardin</u>	<u>2818 1435 San Antonio Tx</u>	<u>Bexar</u>		<u>1-11-68</u>
12-11-21	<u>Annette Glasco</u>	<u>Annette Glasco</u>	<u>2818 N Interstate S A Tx</u>	<u>Bexar</u>		<u>9-4-59</u>
12-11-21	<u>Jolesa Taylor</u>	<u>Jolesa Taylor</u>	<u>4326 Judivan dr SA Tx</u>	<u>Bexar</u>		<u>08-19-03</u>
12-11-21	<u>Raishawn Smith</u>	<u>Raishawn Smith</u>	<u>4326 Judivan dr SA Tx</u>	<u>Bexar</u>		<u>09/19/02</u>
12-11-21	<u>Lisa Snellet</u>	<u>Lisa Snellet</u>	<u>2818 N 735 SATX</u>	<u>Bexar</u>		<u>7/17/01</u>
12-11-21	<u>Leticia Cruz</u>	<u>Leticia Cruz</u>	<u>1010 Locke ST</u>	<u>Bexar</u>		<u>1-30-64</u>

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

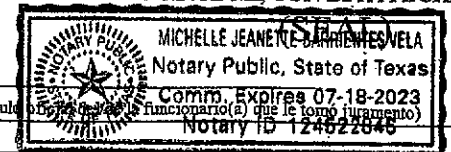
STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar BEFORE ME, the undersigned, on this 2/13/21 (date) personally appeared (ANTE MI, el/la suscritor(a), en esta (fecha) compareció) Albert Whitty (name of person who circulated petition.) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Title of officer administering oath (Título del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

## Signing

**This statement N**

"I know that the purpose of this petition is to elect a <sup>3</sup> primary election, during the voting year in which <sup>2</sup> en la elección de un partido que no celebre una elección

Date Signed (Fecha de Firma)	Signature (Firma)
---------------------------------	----------------------

[illegible]

STATE OF TEXAS (ESTADO DE TEJAS) (esta fecha) compareció \_\_\_\_\_ statements and read them to the signer before and believe that each signature is the genuine atención de cada firmante sobre la declaración ci firma es la auténtica de la persona cuyo nombre :

X \_\_\_\_\_  
Signature of circulator (Firma de la persona que hizo)

AW2-3  
Prescribed by Secretary of State  
Sections 141.062, 141.063, 141.064,  
141.065, 172.021, 172.025, 172.027  
Texas Election Code  
9/2019

**PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)**  
**(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o**  
**PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)**

Name of Circulator Justin W. [Signature] Page 25 of 28

**Signing the petition of more than one candidate for the same office in the same election is prohibited.** (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

**COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)**

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert White to have their name placed on the ballot for the office of Justice of the Peace Petal for the Petal primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert White para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace Petal en la elección primaria del Partido Petal. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

[illegible]

**AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)**<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Brewer BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció Albert C. Wiley (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que la firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y FIRMADO ANTE MI EN LA FECHA DE) 12/13/21

x

Signature of circulator (Firma de la persona que hizo circular la petición)

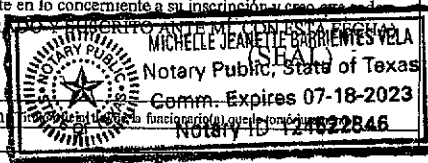
X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

天

Title of officer administering oath \_\_\_\_\_

INSTRUCTIONS AND FOOTNOTES ON BACK. (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whitey Page 21 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)

"I know that the purpose of this petition is to entitle Albert Whitey to have their name placed on the ballot for the office of Justice of the Peace Party for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitey para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace Party en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejen de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/12/21		Andrea Temple	7046 Itherton 78244	BEXAR		2-4-71
12/12/21		Diana Perez	4831 Aspenwood 78244	BEXAR		
12/12/21		Kathy O'Neal	4845 Goddard 78244	BEXAR		4-22-90
12/12/21		Jesse Keyser	6082 Glacis Sun 78244	BEXAR		11/22/81
12-12-21		WMFRED O'NEAL	15323 LAKE BOND EAS 78244	BEXAR		03-05-1952

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) BEXAR BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en esta (fecha) compareció) Albert Whitey, (name of person who circulated petition,) -- (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

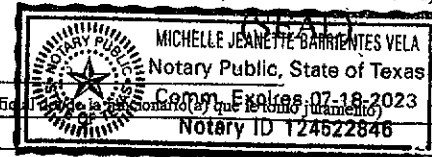
Signature of circulator (Firma de la persona que hizo circular la petición)

X

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

X

Title of officer administering oath (Título oficial del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



"I know that the purpose of this petition is to entitle Albert Whiting to have their name placed on the ballot for the office of Justice of the Peace for the 1st primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whiting para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace en la elección primaria del Partido Democrat 1st para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace en la elección primaria del Partido Democrat 1st incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

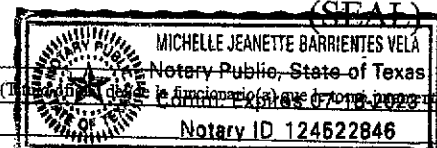
**AFFIDAVIT OF CIRCULATOR** (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

X \_\_\_\_\_  
Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Title of officer administering oath (Título del funcionario(a) que administra juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



**PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)**  
 (PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
 PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Robert L. Kelly Page 28 of 31

**Signing the petition of more than one candidate for the same office in the same election is prohibited.** (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

**COMPLETE ALL BLANKS. (LLENAR TODOS LOS ESPACIOS EN BLANCO.)**

**This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)**

"I know that the purpose of this petition is to entitle Albert Whiting <sup>3</sup> primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Justice of the Peace Put 4 <sup>2</sup> en la elección primaria del Partido Democrat <sup>2</sup> en la elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

<sup>3</sup> Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,

Date Signed	Signature	Printed Name

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-11-21	<i>Idella Curtis</i>	Idella Curtis	4126 TAMARAK SA, TEXAS 78220	BAXAR		
12-11-21	<i>Alberta Page</i>	Alberta A. Page	223 Edna Ave Sefos 78226	BAXAR		10-9-34
12-11-21	<i>Russell Hower</i>	Russell Hower	3944 Monteverde Hwy, SA TEX 78214	Bexar		1-17-1940
12-11-21	<i>A. J. Henry</i>	A. J. Henry	6330 Hickory Superior St 78222	Bexar		6-28-59
12-11-21	<i>Walter Hopkins</i>	Hopkins Walter	6771 Sparrowwood Lane Oak Tx 78233	Bexar		02/22/80
						07/29/74

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF BEXAR (CONDADO DE BEXAR)

**AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR)**

**AFFIDAVIT OF CIRCULATOR** (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>  
(CONDADO DE) Los Angeles PERSONA: \_\_\_\_\_

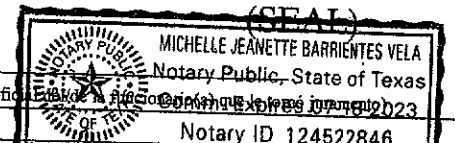
STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Brewer  
esta (fecha) compareció Albert White, (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Title of officer administering oath (Titulo oficial de funcionario que le administró el juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)





PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert White Page 24 of 29

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert White <sup>1</sup> to have their name placed on the ballot for the office of Justice of the Peace <sup>2</sup> for the  
Democrat <sup>3</sup> primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert White <sup>1</sup> para que su nombre aparezca en la boleta como candidato(a) al puesto de  
<sup>2</sup> en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejen de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/12/21	<u>Alvin Thomas</u>	ALVIN THOMAS	8146 LAHURA MILLS CONVERSE TX 78109	BEXAR		8/31/44
12/12/21	<u>Carl Byrd</u>	Carl Byrd	1137103 Glenmont SATX 78239	Bexar		3/13/51
12/12/21	<u>Debra Huff</u>	Debra Huff	10818 Deercliff Pass SATX 78251	BEXAR		9/30/56
12/12/21	<u>James Huff</u>	James HUFF	10818 Deercliff Pass SATX 78251	Bexar		7/21/52
12/12/21	<u>Ann Dikes</u>	Ann Dikes	5046 Seabreeze Dr. SATX 78220	Bexar		8/11/57
12/12/21	<u>Kathie Dickerson</u>	Kathie Dickerson	707122 Gulf Shore Blvd SAT 78244	Bexar		7/30/62

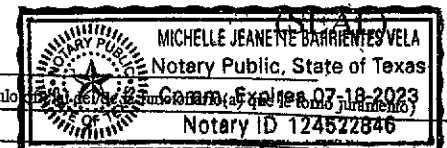
AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert White (name of person who circulated petition,) -- (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la  
atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada  
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X Albert White  
Signature of circulator (Firma de la persona que hizo circular la petición)

X [Signature]  
Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

Notary Public  
Title of officer administering oath (Título del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whithy Page 30 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
**COMPLETE ALL BLANKS. (LENE TODOS LOS ESPACIOS EN BLANCO.)**

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whithy to have their name placed on the ballot for the office of Justice of the Peace Party for the election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Democrat en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number (Núm de VUID de Votante)	Date of Birth (Fecha de Nacimiento)
12/12/21		BRUCE R. LANE	6629 RICHLAND PL SAN ANTONIO TX 78244	BEXAR		11/14/1964
12/12/21		MIA MORRIS	4310 Shiloh, SA, TX 78220	BEXAR		06/19/66
12/12/21	MARTIN O. CULVER	MARTIN O. CULVER	3717 HILL ST. SHERTZ 78154	Guadalupe		09/09/60
12/12/21		Lacey McCulley	7819 Hedrick Farm San Antonio 78229	BEXAR		7/30/54
12/12/21		Billy Elbert	6407 JETTY SAN ANTONIO TX 78239	BEXAR		8/30/55
12/12/21		Kimberly Adams	7459 Pepper Trail, TX 78244	CONVERSE		1-25-65
12/12/21		George Alcorn	7146 Azure Waters TX 78109	BEXAR		3-1-60

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>  
STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert Whithy, (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MI, CON ESTA FECHA)

X  
Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/la funcionario(a) que le tomó juramento)

Title of officer administering oath (Título oficial de funcionario(a) que le tomó juramento)  
Notary Public, State of Texas  
Comm. Expires 07-18-2023  
Notary ID 124622816

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

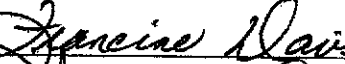
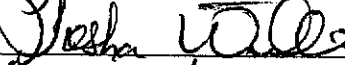
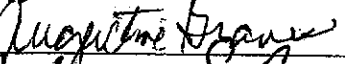

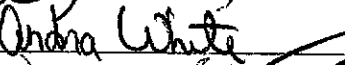
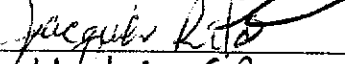

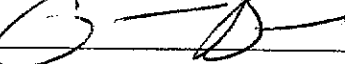
PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL – para efectos de elecciones primarias)

Name of Circulator Albert Whithy Page 3 of 99

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENAR TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)


"I know that the purpose of this petition is to entitle Albert Whithy to have their name placed on the ballot for the office of Justice of Peace Prec 4 for the Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whithy para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of Peace Prec 4 en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

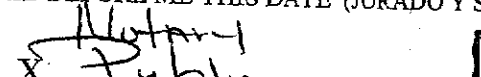
Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye: Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-8-21		FRANCINE DAVIS	134 Fargo Ave SAT 78220	BEXAR		
12-8-21		Tasha Williams	3503 Heather Meadows, SA, TX 78222	Bexar		05-10-1960
12-9-21		AUGUSTINE GRAVES	5111 Binz Engleman Rd SAT 78219	BEXAR		01-11-1969
12/10/21		GLORIA L. RAY	7507 Legend Rock SAT 78244	BEXAR		12-30-37
12/10/21		Andrea White	5114 Binz Engleman Rd.	BEXAR		10-13-1943
12/10/21		Jacqueline Rita	4402 Lakeway Dr. S.A. TX 78244	Bexar		07-19-58
		Michele Boykens	714 Station St C Wersel. TX 78209			10/5/1965
12/10/21			8922 Cloudstone pl 78109	BEXAR		12-11-21
						12-4-80

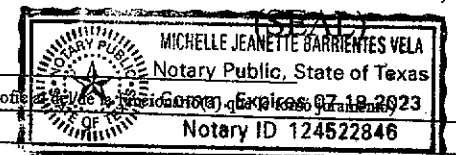
AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)<sup>5</sup>

STATE OF TEXAS (ESTADO DE TEJAS) COUNTY OF (CONDADO DE) BEXAR  
esta (fecha) compareció Albert Whithy, (name of person who circulated petition,) – (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X  
Signature of circulator (Firma de la persona que hizo circular la petición)

X   
Signature of officer administering oath (Firma del/de la funcionario(a) que le tomó juramento)

X   
Title of officer administering oath (Título del/de la funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whiting Page 32 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whiting to have their name placed on the ballot for the office of Justice of the Peace 1st for the  
Primary primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whiting para que su nombre aparezca en la boleta como candidato(a) al puesto de  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)  
2 en la elección primaria del Partido 3. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo.

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
Dec 13/2021		Romans Montalvo	7455 Hardesty 78250, San Antonio TX	Bexar		12-09-95
12/13/21		Lidia Rangel	15447 66s Rd AFAECSA, TX	Bexar		12/17/98
12/13/21		Kela Abastola	10010 Bear Canyon 78252	Bexar		07/17/78
12/13/21		Nancy Herrera	2637 Guadalupe 78245	Bexar		07/14/66
12/13/21		Harry Stone	123 Osiana 78248	Bexar		12/2/68
12/13/21		Lowell Martin	4307 Kave Digger 78251	Bexar		2/15/76
12/13/21		Green Richard	4407 Vicksburg St San Antonio 78226	Bexar		01/15/1970
12/13/21		Carlota McGarity	8327 Bird Meadow Dr. Converse, TX 78109	Bexar		12/13/2021
12/13/21		Vera Garcia	4702 Wycliff SA, TX 78220	Bexar		06/30/1968
12/13/21		Kimberly Walker		Bexar		4-30-75

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)  
STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert Whiting, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la  
atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada  
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

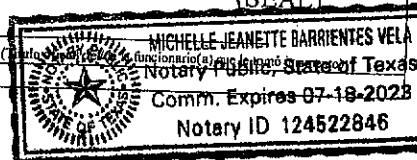
X

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/la funcionario(a) que le tomó juramento)

Title of officer administering oath (Cargo del/la funcionario(a) que le tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whitney Page 41 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENAR TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whitney to have their name placed on the ballot for the office of Justice of the Peace Dist. 11 for the  
Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitney para que su nombre aparezca en la boleta como candidato(a) al puesto de  
en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Número de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-13-21	[Signature]	Tarhonda Belcher	7830 Fossil Banks S.A. TX 78254	Bexar		4/6/80
12-13-21	[Signature]	Mark Reed	28717 Coral Dark 78260	Bexar		11/6/77
12-13-21	[Signature]	Adam Mason	25057 Tootant Boaleguel 78255	Bexar		3/15/79
12-13-21	[Signature]	Miguel Ponce	21114 Football Drive San Antonio	Bexar		12/19/59
12-13-21	[Signature]	Sara Milhous	23042 Fawn Trail Dr. Elmhurst TX	Bexar		02-05-83
12-13-21	[Signature]	Kiyanah Harris	6602 Maria Way Converse	Converse		05-21-98
12-13-21	[Signature]	Erma J Marshall	15518 Luccern Springs S.A. TX	Bexar		01-12-63
12-13-21	[Signature]	Rehlynn Woods	18772 Hyde Oak Park	Bexar		08-24-88
12-13-21	[Signature]	James Casco	3943 Burlington Dr. S.A. TX	Bexar		11-24-68
12-13-21	[Signature]	Sixto Aleman	5646 Summer Fest Dr S.A. TX	Bexar		4-6-69

AFFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)  
STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert Whitney (name of person who circulated petition.) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la  
atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada  
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

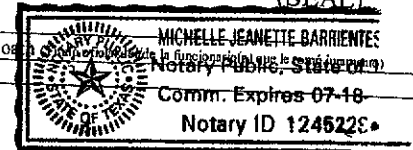
X

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/la funcionario(a) que le tomó juramento)

Title of officer administering oath (Cargo del/la funcionario(a) que le tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whiting Page 34 of 34

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whiting to have their name placed on the ballot for the office of Justice of the Peace R42 for the  
Democratic primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whiting para que su nombre aparezca en la boleta como candidato(a) al puesto de  
en la elección primaria del Partido Democratic. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VOID Number <sup>4</sup> (Núm de VOID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/13/21	[Signature]	Dora Lara	3007 SE Military #5501 SA 78229	Bexar		01-22-1986
12/13/21	[Signature]	Marta McGee	51006 Inshuwer Rd #1921	Bexar		5/24/59
12/13/21	[Signature]	Tahani McDay	6062 Sunrise bend dr	Bexar		05-05-92
12/13/21	[Signature]	N. Codemis Sarker	4607 Cestle St accm	Bexar		01-11-77
12/13/21	[Signature]	Tiffany Bevan	3454 MARECK CREEK SA. TX 78247	Bexar		11-14-87
12/13/21	[Signature]	Durgam Gonzalez	10571 Starcrest Dr #2	Bexar		11-12-79
12/13/21	[Signature]	Shanta Lewis	8802 Trade Wind Dr	Bexar		12-08-79
12/13/21	[Signature]	Karen Q. Camp	9826 Shawnee Bluff Converse, TX 78109	Bexar		11-03-67
12/13/21	[Signature]	Yadameish		Bexar		6-9-62
12/13/21	[Signature]	Leticia Garcia	4822 Explorer Dr. Apt. Kirby 78247	Bexar		9/17/74

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert Whiting (name of person who circulated petition.) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la  
atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada  
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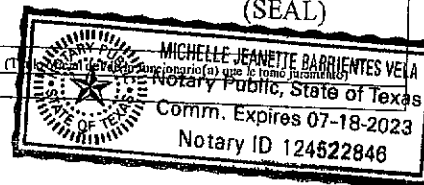
X

Signature of circulator (Firma de la persona que hizo circular la petición)

X [Signature]  
Signature of officer administering oath (Firma del/la funcionario(a) que le tomó juramento)

X [Signature]  
Title of officer administering oath (Cargo del/la funcionario(a) que le tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)





PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whithy Page 45 of 55

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whithy to have their name placed on the ballot for the office of Justice of the Peace Pct 4 for the  
Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whithy para que su nombre aparezca en la boleta como candidato(a) al puesto de  
en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-13-21	<u>Johnesha Curry</u>	Johnesha Curry	13330 Blanco Road	Bexar		03-17-1994
12-13-21	<u>Patricia Ledon</u>	Patricia Ledon	4714 Aloha Dr. S.A. TX 78219	Bexar		07-17-1968
12-13-21	<u>Trishawn Clarke-Jayle</u>	Trishawn Clarke-Jayle	1609 Martin L. King, S.A. TX 78208	Bexar		03-13-2002
12-13-21	<u>Evelyn Butler</u>	Evelyn Butler	5030 N Loop 1604 E #2103	Bexar		9-25-81
12-13-21	<u>Jessica Hawkins</u>	Jessica Hawkins	535 Larier Blvd S.A. TX 78221	Bexar		4-2-61
12-13-21	<u>Aerial Williams</u>	Aerial Williams	12723 SANDPIPER DR, LIVE OAK, TX 78221	Bexar		02/11/1989
12-13-21	<u>Sara Brock</u>	Sara Brock	424 Burtison, San Antonio 78202	Bexar		06-06-88
12-13-21	<u>Dalila Cano</u>	Dalila Cano	6315 Malacca Dr. San Antonio 78219	Bexar		9/20/90
12-13-21	<u>Kimberly Saunders</u>	Kimberly Saunders	8932 Dakota Run Converse, TX 78109	Bexar		6/29/84
12-13-21	<u>Yolanda Pena</u>	Yolanda Pena	2388 S. First SA TX 78205	Bexar		7/1/74
						3/5/56

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert Whithy, (name of person who circulated petition.) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la  
atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada  
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X

Signature of circulator (Firma de la persona que hizo circular la petición)

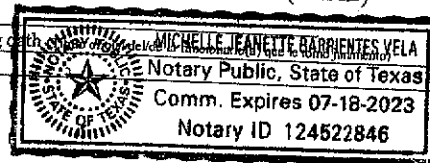
X

Signature of officer administering oath (Firma del/de la funcionario(a) que lo tomó juramento)

X

Title of officer administering oath

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whiteby Page 36 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert Whiteby to have their name placed on the ballot for the office of Justice of the Peace Pct 4 for the  
Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whiteby para que su nombre aparezca en la boleta como candidato(a) al puesto de  
Democrat en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

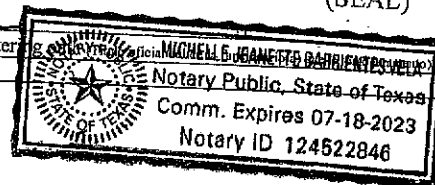
Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>1</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-13-21	[Signature]	Julio Sanchez	8015 Perthshire	Bexar		
12-13-21	[Signature]	Thomas Glenn	6915 S. Sanbelt St S.A. TX 78210	Bexar		5/20/84
12-13-21	[Signature]	Angelina Hendrix	PO Box 201452 SAT 78220	Bexar		9-9-52
12-13-21	[Signature]	Rosemary Gonzalez	3 Linden SAT 78211	Bexar		11-24-70
12-13-21	[Signature]	La Ignea Bowles	414 SW 28th Street 78237	Bexar		5-8-56
12-13-21	[Signature]	Robert Ruiz	206 Ringing Ave 78210	Bexar		9-21-89
12-13-21	[Signature]	Allison Rodriguez	11514 Blva 78240	Bexar		9/8/94
12-13-21	[Signature]	Sandra Cabell	3207 Twining SA, TX 78211	Bexar		11-20-89
12-13-21	[Signature]	Marita Harris	8004 Bentley Dr. #10201, SA, TX 78218	Bexar		12-13-71
12-13-21	[Signature]	Tehia McFadden	7623 Fishers Dale SA, TX 78244	Bexar		12-17-89
						04-06-83

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert Whiteby (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Líbrame la  
atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada  
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

X  
Signature of circulator (Firma de la persona que hizo circular la petición)

X [Signature]  
Signature of officer administering oath (Firma del/la funcionario(a) que le tomó juramento)

X [Signature]  
Title of officer administering oath (Cargo del funcionario(a) que le tomó juramento)



INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert White Page 97 of 99

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert White to have their name placed on the ballot for the office of Justice of the Peace Per 4 for the  
Democrat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert White para que su nombre aparezca en la boleta como candidato(a) al puesto de  
en la elección primaria del Partido Democrat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/13/21	[Signature]	Randy Emerson	1320 Austin Hwy. #6203 SA, TX 78209	Bexar		7/26/71
12/13/21	[Signature]	Beatrice Meads	1201 E Mulberry Ave #105 SA TX 78209	Bexar		4/6/74
12/13/21	[Signature]	Debra Cobb	9828 Sugarloaf Dr. San Antonio, TX 78245	Bexar		7-1-58
12/13/21	[Signature]	Shawn Martin	3400 N.E. PARKWAY SAN ANTONIO TX 78210	Bexar		11-05-65
12/13/21	[Signature]	POK CHA MATHEW	6918 E Sunbelt DR SA, TX 78218	Bexar		11/20/1955
12/13/21	[Signature]	Peggy McMahon	6918 E. Sunbelt #210 SA, TX 78218	Bexar		1-15-61
12/13/21	[Signature]	Larry McMahon	6918 E Sunbelt #210 SA, TX 78218	Bexar		7-29-45
12/13/21	[Signature]	Manuel Garcia	6918 E Sunbelt #207 SA, TX 78218	Bexar		6-29-40
12/13/21	[Signature]	Esther Chen	6918 E. Sunbelt #211 SA, TX 78218	Bexar		6-18-1984
12/13/21	[Signature]	OK SON RAY	OK SON RAY 6918 E. Sunbelt #220 SA, TX 78218	Bexar		11-21-1934

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
esta (fecha) compareció Albert White (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la  
atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada  
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MI, CON ESTA FECHA)

X

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/la funcionario(a) que lo tomó juramento)

X Public

(SEAL)

Title of officer administering oath (Título oficial del/la funcionario(a) que lo tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert Whitey Page 38 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENE TODOS LOS ESPACIOS EN BLANCO.)

"I know, that the purpose of this petition is to entitle Albert Whitey to have their name placed on the ballot for the office of Justice of the Peace for the 1st primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert Whitey para que su nombre aparezca en la boleta como candidato(a) al puesto de Justice of the Peace en la elección primaria del Partido 1st. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo, incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12-13-21	<u>Earlene Wright</u>	Earlene Wright	6418 S. Sibelia Dr. #107 S.A.TX. 78218	Bexar		10-25-44
12-13-21	<u>Norris Darden</u>	Norris Darden	902 Rio Road SATX 78220	Bexar		10-13-79
12-13-21	<u>Frances Darden</u>	Frances Darden	3950 Linder Falls 78259	Bexar		4-20-49
12-13-21	<u>Nancy Villareal</u>	Nancy Villareal	414 John Page Dr. 78228	Bexar		1/8/61
12-13-21	<u>Annette Lackey</u>	Annette Lackey	2435 Cedar Ridge 78232	Bexar		1/13/41
12-13-21	<u>Joe Rodriguez</u>	Joe Rodriguez	5614 Ludlow Lane 78109	Bexar		4-20-65
12-13-21	<u>Bolivar Pila</u>	Bolivar Pila	148 Elvira Avenue Dr. 78209	Bexar		2/7/57
12-13-21	<u>Anna Vo</u>	Anna Vo	7743 Cluridge 78250	Bexar		12/18/1978
12-13-21	<u>Mrs. Diaz</u>	Mrs. Diaz	15218 Winged Foot	Bexar		08/03/1980
	<u>Albert Whitey</u>	Albert Whitey	11042 Wilson Oaks 78249	Bexar		02/11/70

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
I, Albert Whitey (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) BEFORE ME, the undersigned, on this 12-13-21 (date) personally appeared (ANTE MÍ, el/la suscrita(a)) en esta (fecha) compareció Albert Whitey (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la atención de cada firmante sobre la declaración citada y se la lei antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRITO ANTE MÍ, CON ESTA FECHA)

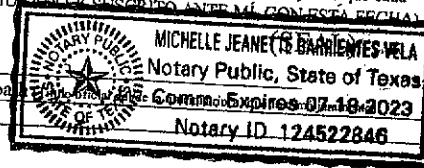
X

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/la funcionario(a) que le tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)

Title of officer administering oath



38

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICIÓN PRESENTADA EN SUSTITUCIÓN DEL PAGO DE DERECHOS DE INSCRIPCIÓN y/o  
PETICIÓN PARA UN PUESTO OFICIAL JUDICIAL - para efectos de elecciones primarias)

Name of Circulator Albert White Page 19 of 39

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)  
COMPLETE ALL BLANKS. (LLENAR TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes antes de que la suscriban.)  
"I know that the purpose of this petition is to entitle Albert White to have their name placed on the ballot for the office of Justice of the Peace for the  
Demo crat primary election. I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary  
election, during the voting year in which this primary election is held." (Reconozco que el objeto de la presente petición es facultar a Albert White para que su nombre aparezca en la boleta como candidato(a) al puesto de  
en la elección primaria del Partido Demo crat. Entiendo que al firmar la petición, dejo de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo,  
incluso de un partido que no celebre una elección primaria, durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas, Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number <sup>4</sup> (Núm de VUID de Votante)	Date of Birth <sup>4</sup> (Fecha de Nacimiento)
12/12/21	<u>[Signature]</u>	Georgina G Rose	8419 Blackstone Cove	Bexar		6-3-67
12/12/21	<u>[Signature]</u>	Willis MARCHES	willis 301 Converse Center St	Bexar		6-3-63
12/12/21	<u>[Signature]</u>	Melissa Sparks	6206 Inverrary Drive	Bexar		7/21/1983
12/12/21	<u>[Signature]</u>	Devon Lee	8415 Sherisse Drive	Converse, TX		11/13/74
12/12/21	<u>[Signature]</u>	Harrison Barber	324 Shaver St	Bexar		9/18/1986
12/12/21	<u>[Signature]</u>	Robert Holden	5424 January Dr	Bexar		1/19/58
12/12/21	<u>[Signature]</u>	ROBERT WILSON	<u>[Signature]</u>	BEXAR		11/14/14
12-12-21	<u>[Signature]</u>	RONNIE HART	4839 CASTLE PRINCE 78218	BEXAR		11-9-74
12-12-21	<u>[Signature]</u>	Randy Hamiton	4839 Castles Prince 78218	Bexar		10-11-91
12-12-21	<u>[Signature]</u>	Ltkey M. Mungia	4839 5618 S. Garath 78218	Bexar		9-24-63

STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF (CONDADO DE) Bexar  
AFIDAVIT OF CIRCULATOR (DECLARACIÓN JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICIÓN)  
BEFORE ME, the undersigned, on this 12/13/21 (date) personally appeared (ANTE MI, el/la suscrito(a), en  
esta (fecha) compareció) Albert White, (name of person who circulated petition,) - (nombre de la persona que hizo circular la petición) who being duly sworn, deposes and says: "I called each signer's attention to the above  
statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status  
and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (quien, habiendo prestado el juramento correspondiente, declaró y dijo: "Llamé la  
atención de cada firmante sobre la declaración citada y se la leyó antes de que la suscribiera. Atestigué cada firma, y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante  
firma es la auténtica de la persona cuyo nombre aparece firmado y que son exactos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRIBIDO ANTE MÍ EN ESTA FECHA)

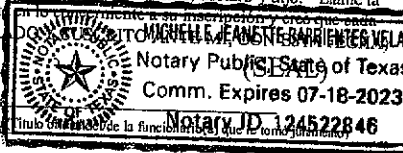
X

Signature of circulator (Firma de la persona que hizo circular la petición)

Signature of officer administering oath (Firma del/la funcionario(a) que le tomó juramento)

Title of officer administering oath (Cargo del/la funcionario(a) que le tomó juramento)

INSTRUCTIONS AND FOOTNOTES ON BACK (AL DORSO: INSTRUCCIONES Y ANOTACIONES)



# EXHIBIT 2

Rogelio "Roger" Lopez, Jr.  
P.O. Box 93  
Adkins, TX 78101  
Email: [judgerogierlopez@gmail.com](mailto:judgerogierlopez@gmail.com)  
December 13, 2021

Hon. Monica Alcantara  
Bexar County Democratic Party Chair  
Bexar County Democratic Party Headquarters  
1844 Fredericksburg Rd  
San Antonio, Texas 78201  
*Via: Hand Delivery*

**Re: Challenge to candidate Albert Whitby's "Application for a Place on the General Primary Ballot"**

Honorable Monica Alcantara:

Please allow this correspondence to serve as a formal challenge to candidate Albert Whitby's "Application for a Place on the General Primary Ballot" filed on December 13, 2021. The Application is defective pursuant to the Texas Election Code, and accordingly must be rejected.

The Application fails to meet the requirements prescribed in the Texas Election Code. Mr. Whitby's application was accompanied by 39 pages of petitions,<sup>1</sup> all of which list the candidate office as "Justice of the Peace, Precinct 4." All the petitions failed to include the place number as "Place 1." This is a defect in each of these petition pages, which renders each of them invalid. You, as the

---

<sup>1</sup> The application listed 40 pages of petitions, but on reviewing the petitions, it was discovered that page number 23 was missing. This was verified with the officials at the Democratic Party Headquarters when copies of petitions were provided.

Democratic Party Chair and the designated filing authority *must reject the application*. The Election Code provides as much:

(e) If an application does not comply with the applicable requirements, the authority *shall reject* the application ...

**Tex. Election Code Sec. 141.032** (emphasis added).

The Texas Supreme Court reviewed an identical case, and found that the *failure to list the place number* in each of the petition pages constituted a *defect* in each of those petition pages, which rendered *all of those pages invalid*.<sup>2</sup> Regarding the candidate's omission of "Place 8" on the petitions, the Texas Supreme Court went on to say:

"We agree that the omission of any statutorily required information on a petition renders signatures on that petition invalid.<sup>3</sup> Section 172.027 of the Election Code says that a *candidate's place number 'must appear at the top of each page of a petition.'* Section 141.063(a)(4) says that a signature on a petition is *invalid* unless 'each statement that is required by this code . . . appears, at the time of signing, on the page on which the signature is entered.' As the Code requires a place number on each page, and declares invalid any signatures on pages without it, the trial court correctly concluded that all but 27 signatures from the district involved in this challenge are invalid."<sup>4</sup>

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<sup>2</sup> *In re Francis*, 186 S.W.3d 534, 538 (Tex. 2006) (orig. proceeding) (omitting Place 8 constituted a "defect" and an "omission of the statutory requirements...").

<sup>3</sup> Original footnote number 15 in the Courts opinion is as follows:

"15. We have strictly enforced mandatory statutory requirements for political candidacy in the past. See, e.g., *Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex.1986) (disqualifying candidate who filed application for two judicial positions and conditioned withdrawal from one on qualification for the other); *Painter v. Shaner*, 667 S.W.2d 123, 125 (Tex. 1984) (noting "statutory mandates" should be "strictly construed"); *Brown v. Walker*, 377 S.W.2d 630, 632 (Tex.1964) (disqualifying candidate who mailed application by regular mail because applications sent before, but received after, the deadline must be sent via certified or registered mail); *Canady v. Democratic Executive Comm. of Travis County*, 381 S.W.2d 321, 324 (Tex.1964) (disqualifying candidate who listed his legal address as one outside the relevant precinct); *Burroughs v. Lyles*, 142 Tex. 704, 181 S.W.2d 570, 573 (1944)."

<sup>4</sup> *In re Francis*, 186 S.W.3d 534, 538 (Tex. 2006).

The law is clear that because all 39 of Mr. Whitby's petitions lack the "Place 1" designation, all 39 pages are invalid. Accordingly, his application must be rejected.

Mr. Whitby's omission was not due to his lack of knowledge. He was clearly aware that he was making an application for the Justice of the Peace Precinct 4, Place 1 position, as his "Application for a Place on the General Primary Ballot" (attached hereto as exhibit "A") clearly designates the office sought as "Bexar County Justice of the Peace Precinct 4, Place 1." The Bexar County Elections Department clearly recognizes that these are two distinct offices. See attached exhibit "B". Further, the ballot from the 2018 General Election also clearly identifies the office designation as the "Justice of the Peace, Precinct 4, Place 1." See **Media Report, Bexar County Texas, Official Reports**, attached hereto as Exhibit "C."

Under these facts Ms. Alcantara, you as the designated filing authority, have no choice but to reject the application, as your duty is both mandatory and ministerial. The Texas Supreme Court has emphasized that the sections of the Election Code dealing with candidacy for political office are *mandatory* and are to be *strictly enforced*. *Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex. 1986) (orig. proceeding) (emphasis added). "The party chair's duty to determine whether an application for a place on the ballot complies with the statutory requirements is *ministerial*." *In re Triantaphyllis*, 68 S.W.3d 861, 869 (Tex. App.—Houston [14th Dist.] 2002, orig. proceeding) (emphasis added). The Texas Supreme Court has further made it clear that "[i]f a candidate's application does not comply with the Code's requirements, the *party chair has no discretion but to reject the application* and remove the candidate's name from the candidate list. Tex. Elec.Code §§ 141.032(e), 172.029(d); *Escobar*, 917 S.W.2d at 406." *In re Gamble*, 71 S.W.3d 313 (Tex. 2002) (emphasis added). Thus, under both the Election Code and the Texas Supreme Court's interpretation of the Code, you as the Honorable Chair of the Bexar County Democratic Party must reject Mr. Whitby's application.

Finally, should you as the Democratic Party Chair wish to afford an opportunity for cure, you have no authority to accept an amended application after the filing deadline. The Texas Election Code, § 172.0222 provides that:

(i) After the filing deadline:

(1) a candidate *may not amend an application* filed under Section 172.021; and



(2) *the authority* with whom the application is filed *may not accept an amendment to an application* filed under Section 172.021.

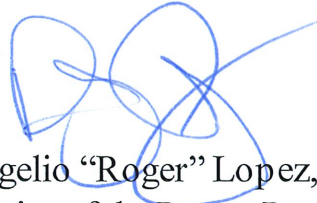
**Tex. Election Code Sec. 172.0222** (emphasis added).

The statutes and the caselaw are clear that in this case, you, as the Bexar County Democratic Chair, have a mandatory and ministerial duty to reject Mr. Whitby's application. I trust that you will comply with the duty and responsibility you have chosen to accept and which you have sworn to uphold. Should you fail to do so, however, a petition has been drafted and will be filed in the proper court having jurisdiction over this matter. Please understand that should it be necessary to initiate litigation, it will be filed against you as the Bexar County Democratic Chair. I trust and hope that this will not be necessary.

Unless I hear from you by 9am on December 15, 2021, I will be forced to seek the Court's assistance to ensure that you comply with your statutory duties.

Should you have any questions, or if there is any way in which I may be of assistance, please do not hesitate to reach out.

Very truly yours,



Rogelio "Roger" Lopez, Jr.  
Justice of the Peace, Precinct 4, Place 1

RL  
atts.



# **Exhibit “A”**

### APPLICATION FOR A PLACE ON THE GENERAL PRIMARY BALLOT

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL<sup>1</sup> Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE <u>DEMOCRATIC</u> PARTY GENERAL PRIMARY BALLOT (Democratic or Republican)					
TO: State/County Chair I request that my name be placed on the above-named official primary ballot as a candidate for nomination to the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.) BEXAR COUNTY JUSTICE OF THE PEACE PRECINCT 4, PLACE 1				INDICATE TERM <input checked="" type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last) ALBERT CHARLES WHITBY			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT* ALBERT C. WHITBY		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.) 8503 EAGLE CREST BLVD			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.) 8503 EAGLE CREST BLVD		
CITY WINDCREST	STATE TX	ZIP 78239	CITY WINDCREST	STATE TX	ZIP 78239
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.) albertwhitby@gmail.com		OCCUPATION (Do not leave blank) EDUCATOR	DATE OF BIRTH 10 / 25 / 1980		VOTER REGISTRATION VOID NUMBER <sup>2</sup> (Optional) 1200994083
TELEPHONE CONTACT INFORMATION (Optional) Home: _____ Office: _____ Cell: (713) 927-2716					
FELONY CONVICTION STATUS (You MUST check one) <input checked="" type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. <sup>3</sup>		LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN IN THE STATE OF TEXAS 41 year(s) 3 month(s) IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED 12 year(s) month(s)			
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) <u>ALBERT CHARLES WHITBY</u> , who being by me here and now duly sworn, upon oath says: "I, (name of candidate) <u>ALBERT CHARLES WHITBY</u> , of <u>BEXAR</u> County, Texas, being a candidate for the office of <u>Bexar County Justice of the Peace Precinct 4, Place 1</u> , swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."					
X <u>[Signature]</u> SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me this the <u>13</u> day of <u>DECEMBER</u> , <u>2021</u> , by <u>ALBERT CHARLES WHITBY</u> . (day) (month) (year) (name of candidate)					
Signature of Officer Authorized to Administer Oath <sup>4</sup> <u>[Signature]</u> Notary Public			Printed Name of Officer Authorized to Administer Oath NICOLETTE M. ARDIENTE Notary Public, State of Texas Comm. Expires 11-09-2025 Notary ID 129110139		
TO BE COMPLETED BY CHAIR OR DESIGNEE: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input checked="" type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIER'S CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. This document and \$ <u>1000</u> filing fee or a nominating petition of <u>40</u> pages received. <input checked="" type="checkbox"/> Voter Registration Status Verified <u>12 / 13 / 2021</u> <u>12 / 13 / 21</u> (See Section 1.007) <u>[Signature]</u> Date Received Date Accepted Signature of Chair or Designee					

# **Exhibit “B”**

# BEXAR COUNTY ELECTIONS DEPARTMENT

JACQUELYN F. CALLANEN, ELECTIONS ADMINISTRATOR

210-335-VOTE

## CANDIDATE CAMPAIGN FINANCE REPORTS

### CONTRIBUTIONS & EXPENDITURES SEARCH

Category

Office

- Justice of the Peace, Precinct 1 Place 1
- Justice of the Peace, Precinct 2 Place 1
- Justice of the Peace, Precinct 2 Place 2
- Justice of the Peace, Precinct 2 Place 3
- Justice of the Peace, Precinct 3 Place 1
- Justice of the Peace, Precinct 3 Place 2
- Justice of the Peace, Precinct 4 Place 1
- Justice of the Peace, Precinct 4 Place 2

File Date (To):

Order by:

☐ Office ☐ Candidate ☐ File Date

Search

Clear

# **Exhibit “C”**

MEDIA REPORT

BEXAR COUNTY, TEXAS  
GENERAL, SPECIAL, CHARTER, BOND  
NOVEMBER 6, 2018

OFFICIAL RESULTS

RUN DATE: 11/16/18 02:49 PM

	TOTAL VOTES	%	EARLY VOTE	ELECTION DAY
PRECINCTS COUNTED (OF 752)	752	100.00		
REGISTERED VOTERS - TOTAL	1104,746			
BALLOTS CAST - TOTAL	551,896		420,191	131,705
VOTER TURNOUT - TOTAL		49.96		
Straight Party				
Vote For 1				
(WITH 751 OF 751 PRECINCTS COUNTED)				
Republican Party (REP)	134,360	40.86	103,958	30,402
Democratic Party (DEM)	191,776	58.31	141,351	50,425
Libertarian Party (LIB)	2,729	.83	1,636	1,093
Over Votes	24		24	0
Under Votes	223,007		173,222	49,785
Justice of the Peace, Precinct 1, Place 1				
Vote For 1				
(WITH 146 OF 146 PRECINCTS COUNTED)				
Robert "Bobby" Tejada (DEM)	77,704	100.00	55,386	22,318
Over Votes	0		0	0
Under Votes	28,412		20,793	7,619
Justice of the Peace, Precinct 1, Place 2				
Vote For 1				
(WITH 146 OF 146 PRECINCTS COUNTED)				
Ciro D. Rodriguez (DEM)	78,081	100.00	55,625	22,456
Over Votes	0		0	0
Under Votes	28,035		20,554	7,481
Justice of the Peace, Precinct 3, Place 1				
Vote For 1				
(WITH 208 OF 208 PRECINCTS COUNTED)				
Jeff Wentworth (REP)	123,406	70.39	99,231	24,175
Eric J. Velasquez (LIB)	51,901	29.61	41,177	10,724
Over Votes	1		1	0
Under Votes	37,500		30,145	7,355
Justice of the Peace, Precinct 4, Place 1				
Vote For 1				
(WITH 212 OF 212 PRECINCTS COUNTED)				
Rogelio "Roger" Lopez, Jr. (DEM)	72,161	79.67	53,285	18,876
David Brady (LIB)	18,413	20.33	13,590	4,823
Over Votes	1		1	0
Under Votes	24,951		19,411	5,540
Bexar County ESD No. 12 Proposition A				
Vote For 1				
(WITH 8 OF 8 PRECINCTS COUNTED)				
For	1,600	54.96	1,209	391
Against	1,311	45.04	1,032	279
Over Votes	0		0	0
Under Votes	531		387	144

Rogelio "Roger" Lopez, Jr.  
P.O. Box 93  
Adkins, TX 78101  
Email: [judgerogelopez@gmail.com](mailto:judgerogelopez@gmail.com)  
December 13, 2021

Hon. Monica Alcantara  
Bexar County Democratic Party Chair  
Bexar County Democratic Party Headquarters  
1844 Fredericksburg Rd  
San Antonio, Texas 78201  
*Via: Hand Delivery*

**Re: Challenge to candidate Michele Carey Garcia's "Application for a Place on the General Primary Ballot"**

Honorable Monica Alcantara:

Please allow this correspondence to serve as a formal challenge to candidate Michele Carey Garcia's "Application for a Place on the General Primary Ballot" filed on December 10, 2021, attached hereto as exhibit "A." The Application is defective pursuant to the Texas Election Code, and accordingly must be rejected.

The Application fails to meet the requirements prescribed in the Texas Election Code. Specifically, § 141.031 provides that:

(a) A candidate's application for a place on the ballot that is required by this code must:

(4) include:

(C) the office sought, *including any place number* or other distinguishing number; ...

**Tex. Election Code Sec. 141.031** (emphasis added).



Ms. Garcia's application listed the office as "Justice of the Peace, Precinct 4" and failed to include the place number as "Place 1." See attached exhibit "A." You, as the Democratic Party Chair and the designated filing authority *must reject the application*. The Election Code provides as much:

(e) If an application does not comply with the applicable requirements, the authority *shall reject* the application ...

**Tex. Election Code Sec. 141.032** (emphasis added). The Texas Supreme Court has reviewed an almost identical case, and has found that the *failure to list the place number* is a *defect* in the petition which rendered the application *invalid*. See *In re Francis*, 186 S.W.3d 534, 538 (Tex. 2006) (orig. proceeding) (omitting Place 8 constituted a "defect" and an "omission of the statutory requirements...").

This omission was not due to a lack of knowledge by Ms. Garcia. She was clearly aware that she was making an application for the Justice of the Peace Precinct 4, Place 1 position. See Ms. Garcia's "Appointment of a Campaign Treasurer by a Judicial Candidate" form attached hereto as exhibit "B" (designating office sought as "Justice of the Peace Pct. 4 *Place 1*") (emphasis added). The Bexar County Elections Department clearly recognizes that these are two distinct offices. See attached exhibit "C". Further, the ballot from the 2018 General Election also clearly identifies the office designation as the "Justice of the Peace, Precinct 4, Place 1." See **Media Report, Bexar County Texas, Official Reports**, attached hereto as Exhibit "D."

To the extent that some of Ms. Garcia's petitions reference Place 1 and some do not (attached hereto as exhibit "E"), those petitions do not serve to correct the defective application. The Election Code is also very clear on this point. Section 141.032 provides that:

(c) If an application is accompanied by a petition, the petition is considered part of the application ... However, *the petition is not considered part of the application for purposes of determining compliance with the requirements applicable to each document, and a deficiency in the requirements for one document may not be remedied by the contents of the other document...*

(e) If an application does not comply with the applicable requirements, the authority *shall* reject the application and immediately deliver to the candidate written notice of the reason for the rejection.

**Tex. Election Code Sec. 141.** (emphasis added).



Under these facts Ms. Alcantara, you as the designated filing authority, have no choice but to reject the application, as your duty is both mandatory and ministerial. The Texas Supreme Court has emphasized that the sections of the Election Code dealing with candidacy for political office are *mandatory* and are to be *strictly enforced*. *Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex. 1986) (orig. proceeding) (emphasis added). “The party chair's duty to determine whether an application for a place on the ballot complies with the statutory requirements is *ministerial*.” *In re Triantaphyllis*, 68 S.W.3d 861, 869 (Tex. App.—Houston [14th Dist.] 2002, orig. proceeding) (emphasis added). The Texas Supreme Court has further made it clear that “[i]f a candidate's application does not comply with the Code's requirements, the *party chair has no discretion but to reject the application* and remove the candidate's name from the candidate list. Tex. Elec.Code §§ 141.032(e), 172.029(d); *Escobar*, 917 S.W.2d at 406.” *In re Gamble*, 71 S.W.3d 313 (Tex. 2002) (emphasis added). Thus, under both the Election Code and the Texas Supreme Court’s interpretation of the Code, you as the Honorable Chair of the Bexar County Democratic Party must reject Ms. Garcia’s application.

Finally, should you as the Democratic Party Chair wish to afford an opportunity for cure, you have no authority to accept an amended application after the filing deadline. The Texas Election Code, § 172.0222 provides that:

(i) After the filing deadline:

(1) a candidate *may not amend an application* filed under Section 172.021; and

(2) *the authority* with whom the application is filed *may not accept an amendment to an application* filed under Section 172.021.

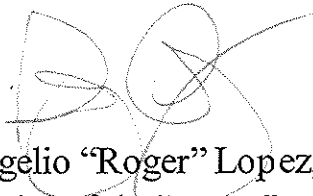
**Tex. Election Code Sec. 172.0222** (emphasis added).

The statutes and the caselaw are clear that in this case, you, as the Bexar County Democratic Chair, have a mandatory and ministerial duty to reject Ms. Garcia’s application. I trust that you will comply with the duty and responsibility you have chosen to accept and which you have sworn to uphold. Should you fail to do so, however, a petition has been drafted and will be filed in the proper court having jurisdiction over this matter. Please understand that should it be necessary to initiate litigation, it will be filed against you as the Bexar County Democratic Chair. I trust and hope that this will not be necessary.

Unless I hear from you by 9am on December 15, 2021, I will be forced to seek the Court's assistance to ensure that you comply with your statutory duties.

Should you have any questions, or if there is any way in which I may be of assistance, please do not hesitate to reach out.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Rogelio Lopez, Jr.', with a large, stylized 'R' and 'L'.

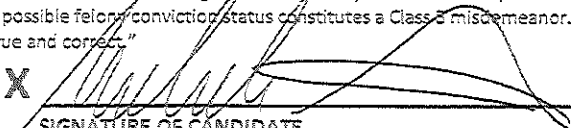
Rogelio "Roger" Lopez, Jr.  
Justice of the Peace, Precinct 4, Place 1

RL  
atts.

# **Exhibit “A”**

### APPLICATION FOR A PLACE ON THE GENERAL PRIMARY BALLOT

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL. Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE <u>Democratic</u> PARTY GENERAL PRIMARY BALLOT (Democratic or Republican)					
TO: State/County Chair					
I request that my name be placed on the above-named official primary ballot as a candidate for nomination to the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.) <u>Justice of the Peace, Precinct 4</u>				INDICATE TERM <input checked="" type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last) <u>Michele Carey Garcia</u>			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT* <u>Michele Garcia</u>		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.) <u>405 E Lindbergh</u>			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.) <u>Same</u>		
CITY <u>Universal City</u>		STATE <u>Tx</u>	ZIP <u>78148</u>	CITY	STATE ZIP
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.) <u>michelegarcia64@gmail.com</u>		OCCUPATION (Do not leave blank) <u>Court Clerk</u>		DATE OF BIRTH <u>05 / 17 / 1984</u>	VOTER REGISTRATION VOID NUMBER <sup>2</sup> (Optional) <u>1190699313</u>
TELEPHONE CONTACT INFORMATION (Optional) Home: Office: Cell: <u>(210) 843-0177</u>					
FELONY CONVICTION STATUS (You MUST check one) <input checked="" type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. <sup>3</sup>		LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN IN THE STATE OF TEXAS <u>37</u> year(s) <u>7</u> month(s)		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED <u>37</u> year(s) <u>7</u> month(s)	
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) <u>Michele Carey Garcia</u> , who being by me here and now duly sworn, upon oath says: "I, (name of candidate) <u>Michele Carey Garcia</u> , of <u>Bexar</u> County, Texas, being a candidate for the office of <u>Justice of the Peace, Precinct 4</u> , swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."					
<div style="text-align: center;"> SIGNATURE OF CANDIDATE</div>					
Sworn to and subscribed before me this the <u>10</u> day of <u>December</u> , 2021, by <u>Michele Carey Garcia</u> (day) (month) (year) (name of candidate)					
Signature of Officer Authorized to Administer Oath <sup>4</sup> <u>[Signature]</u>			James Kane Printer Notary Public, State of Texas Comm. Expires 06-27-2023 Notary ID: 132068395		
TO BE COMPLETED BY CHAIR OR DESIGNEE: THIS APPLICATION IS ACCOMPANIED BY <input type="checkbox"/> CASH <input checked="" type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE.					
This document and \$ <u>1000.00</u> filing fee or a nominating petition of <u>57</u> pages received. <input checked="" type="checkbox"/> Voter Registration Status Verified					
Date Received <u>12 / 10 / 2021</u>		Date Accepted <u>12 / 10 / 21</u>		(See Section 1.007) <u>[Signature]</u> Signature of Chair or Designee	

# **Exhibit “B”**

pg 1

1. Find the missing side

**GO TO PAGE 2**

# **Exhibit “C”**

**BEXAR COUNTY ELECTIONS DEPARTMENT**  
**JACQUELYN F. CALLANEN, ELECTIONS ADMINISTRATOR**  
**210-335-VOTE**

**CANDIDATE CAMPAIGN FINANCE REPORTS**

**CONTRIBUTIONS & EXPENDITURES SEARCH**

Category

Office

justice

Justice of the Peace, Precinct 1 Place 3

Justice of the Peace, Precinct 2 Place 1

Justice of the Peace, Precinct 2 Place 2

Justice of the Peace, Precinct 2 Place 3

Justice of the Peace, Precinct 3 Place 1

Justice of the Peace, Precinct 3 Place 2

Justice of the Peace, Precinct 4 Place 1

Justice of the Peace, Precinct 4 Place 2

File Date (To):

Order by:

☐ Office ☐ Candidate ☐ File Date

Search

Clear



# **Exhibit “D”**

## MEDIA REPORT

BEXAR COUNTY, TEXAS  
GENERAL, SPECIAL, CHARTER, BOND  
NOVEMBER 6, 2018

## OFFICIAL RESULTS

RUN DATE: 11/16/18 02:49 PM

	TOTAL VOTES	%	EARLY VOTE	ELECTION DAY
PRECINCTS COUNTED (OF 752)	752	100.00		
REGISTERED VOTERS - TOTAL	1104,746			
BALLOTS CAST - TOTAL	551,896		420,191	131,705
VOTER TURNOUT - TOTAL		49.96		
Straight Party				
Vote For 1				
(WITH 751 OF 751 PRECINCTS COUNTED)				
Republican Party (REP)	134,360	40.86	103,958	30,402
Democratic Party (DEM)	191,776	58.31	141,351	50,425
Libertarian Party (LIB)	2,729	.83	1,636	1,093
Over Votes	24		24	0
Under Votes	223,007		173,222	49,785
Justice of the Peace, Precinct 1, Place 1				
Vote For 1				
(WITH 146 OF 146 PRECINCTS COUNTED)				
Robert "Bobby" Tejeda (DEM)	77,704	100.00	55,386	22,318
Over Votes	0		0	0
Under Votes	28,412		20,793	7,619
Justice of the Peace, Precinct 1, Place 2				
Vote For 1				
(WITH 146 OF 146 PRECINCTS COUNTED)				
Ciro D. Rodriguez (DEM)	78,081	100.00	55,625	22,456
Over Votes	0		0	0
Under Votes	28,035		20,554	7,481
Justice of the Peace, Precinct 3, Place 1				
Vote For 1				
(WITH 208 OF 208 PRECINCTS COUNTED)				
Jeff Wentworth (REP)	123,406	70.39	99,231	24,175
Eric J. Velasquez (LIB)	51,901	29.61	41,177	10,724
Over Votes	1		1	0
Under Votes	37,500		30,145	7,355
Justice of the Peace, Precinct 4, Place 1				
Vote For 1				
(WITH 212 OF 212 PRECINCTS COUNTED)				
Rogelio "Roger" Lopez, Jr. (DEM)	72,161	79.67	53,285	18,876
David Brady (LIB)	18,413	20.33	13,590	4,823
Over Votes	1		1	0
Under Votes	24,951		19,411	5,540
Bexar County ESD No. 12 Proposition A				
Vote For 1				
(WITH 8 OF 8 PRECINCTS COUNTED)				
For	1,600	54.96	1,209	391
Against	1,311	45.04	1,032	279
Over Votes	0		0	0
Under Votes	531		387	144

# **Exhibit “E”**

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICION PRESENTADA EN SUSTITUCION DEL PAGO DE DERECHOS DE INSCRIPCION y/o  
PETICION PARA UN PUESTO OFICIAL JUDICIAL - para elecciones de elecciones primarias)

Name of Circulator Michelle Boudreau Page 1 of 49

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENAR TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes.)  
I know that the purpose of this petition is to elect Michelle Boudreau to the office of County Clerk for the term of 4 years, beginning on 12-1-21 and ending on 11-1-24. I understand that by signing this petition I become eligible to vote in a primary election or participate in a convention of another party, including a party not having a primary election, during the voting year in which this primary election is held. (Reconozco que el objeto de la presente petición es facilitar a Michelle Boudreau para que su nombre aparezca en la boleta como candidato al puesto de County Clerk durante el año electoral en que se celebre dicha elección primaria.) Entiendo que al firmar la petición, doy de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo partido de un partido que no tiene una elección primaria durante el año electoral en que se celebre dicha elección primaria.)

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number (Número de VUID de Votante)	Date of Birth (Fecha de Nacimiento)
Dec 4	<u>Madeline Mickers</u>	<u>Madeline C. Mickers</u>	<u>8411 COPPERSTONE CONVERSE TX 78009</u>	<u>Bexar</u>	<u>1142668735</u>	<u>9-17-60</u>
12-4-21	<u>Karl Nicholas</u>	<u>Karl Nicholas</u>	<u>9814 Copperstone F8167</u>	<u>Bexar</u>	<u>1068099200</u>	<u>11-07-14</u>
12-4-21	<u>Julie Cooper</u>	<u>Julie Cooper</u>	<u>9726 Copperstone Bexar 78009</u>	<u>Bexar</u>	<u>1064074878</u>	<u>6-20-42</u>
12-4-21	<u>Rollin Cooper</u>	<u>Rollin Cooper</u>	<u>9730 Copperstone 78109</u>	<u>Bexar</u>	<u>1064076573</u>	<u>9-28-42</u>
12-4-21	<u>David Cooper</u>	<u>David Cooper</u>	<u>8323 Copperstone 78109</u>	<u>Bexar</u>	<u>1068402354</u>	<u>6/9/1948</u>
12-4-21	<u>Wale L. Roberts</u>	<u>Wale L. Roberts</u>	<u>9314 Copperstone</u>	<u>Bexar</u>	<u>1065096730</u>	<u>8/21/1970</u>
12-4-21	<u>Lisa Y. Nolen</u>	<u>Lisa Y. Nolen</u>	<u>7903 Copperstone Converse TX</u>	<u>Bexar</u>	<u>200233704</u>	<u>5/15/1966</u>
12-4-21	<u>Humberto Sandoval</u>	<u>Humberto Sandoval</u>	<u>9810 Copperstone Converse TX</u>	<u>Bexar</u>	<u>1069400895</u>	<u>07/20/80</u>
12-7-21	<u>Maria L. DeLeon</u>	<u>Maria L. DeLeon</u>	<u>242 E. Hermitage CT SA TX 78223</u>	<u>Bexar</u>	<u>1068240162</u>	<u>04/16/68</u>
12-7-21	<u>Jason Salinas</u>	<u>Jason Salinas</u>	<u>242 E. Hermitage CT SA TX 78223</u>	<u>Bexar</u>	<u>2157264426</u>	<u>3/15/81</u>

AFFIDAVIT OF CIRCULATOR (DECLARACION JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICION)  
STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF Bexar BEFORE ME, the undersigned, on this 12/2/21 (date) personally appeared (ANTE MI, en la presencia de) Michelle Boudreau (name of person who circulated petition) (nombre de la persona que hizo circular la petición) who being duly sworn, depose and say: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (I swear, habiendo prestado el juramento correspondiente, declaro y digo: "Leí la atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atesté cada firma y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la verdadera de la persona cuyo nombre aparece firmado y que son correctos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRIBIDO ANTE MI EN ESTA FECHA)  
Michelle Boudreau Signature of circulator (Firma de la persona que hace circular la petición)  
Notary Public Signature of Notary Public (Firma del Notario Público)  
BOBBY MARTINEZ  
Notary Public, State of Texas  
My Commission Expires March 22, 2022  
ID # 13018557-0

PETITION IN LIEU OF A FILING FEE and/or PETITION FOR JUDICIAL OFFICE (for use in a primary election)  
(PETICION PRESENTADA EN SUSTITUCION DEL PAGO DE DERECHOS DE INSCRIPCION y/o  
PETICION PARA UN PUESTO OFICIAL JUDICIAL - para elecciones de elecciones primarias)

Name of Circulator Debbie Franklin Page 1 of 1

Signing the petition of more than one candidate for the same office in the same election is prohibited. (Se prohíbe firmar la petición de más de un candidato para el mismo puesto oficial en la misma elección.)

COMPLETE ALL BLANKS. (LLENAR TODOS LOS ESPACIOS EN BLANCO.)

This statement MUST be read to each person before signing the petition. (ES OBLIGATORIO leer la siguiente declaración a todos los firmantes.)  
I know that the purpose of this petition is to elect Debbie Franklin to the office of County Clerk for the term of 4 years, beginning on 12-1-21 and ending on 11-1-24. I understand that by signing this petition I become eligible to vote in a primary election or participate in a convention of another party, including a party not having a primary election, during the voting year in which this primary election is held. (Reconozco que el objeto de la presente petición es facilitar a Debbie Franklin para que su nombre aparezca en la boleta como candidato al puesto de County Clerk durante el año electoral en que se celebre dicha elección primaria.) Entiendo que al firmar la petición, doy de tener derecho a votar en una elección primaria de otro partido o participar en la convención del mismo partido de un partido que no tiene una elección primaria durante el año electoral en que se celebre dicha elección primaria.)

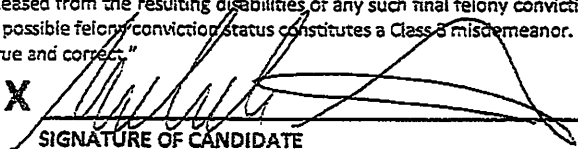
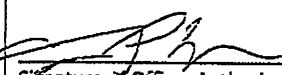
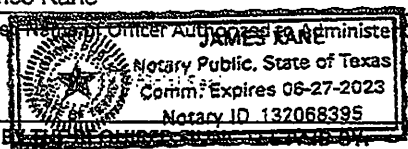

Date Signed (Fecha de Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)	Residence Address (Including City, Texas Zip) (Dirección de Residencia (Incluye Ciudad, Estado, Código Postal))	County (Condado)	Voter VUID Number (Número de VUID de Votante)	Date of Birth (Fecha de Nacimiento)
11-7-21	<u>Willie Franklin</u>	<u>Willie Franklin</u>	<u>927 F Street SA TX 78226</u>	<u>Bexar</u>	<u>1067302398</u>	<u>12-2-80</u>
11/8/21	<u>Debbie Franklin</u>	<u>Debbie Franklin</u>	<u>927 F Street SA TX 78226</u>	<u>Bexar</u>	<u>1070339930</u>	<u>8-2-62</u>
11-8-21	<u>Charlotte Franklin</u>	<u>Charlotte Franklin</u>	<u>1425 N. St. SA TX 78226</u>	<u>Bexar</u>	<u>1152639504</u>	<u>5-6-56</u>
11-8-21	<u>Rita Austin</u>	<u>Rita Austin</u>	<u>927 F St. SA TX 78226</u>	<u>Bexar</u>	<u>2154547756</u>	<u>12-29-88</u>
11-8-21	<u>Brandon Winters</u>	<u>Brandon Winters</u>	<u>927 F St. SA TX 78226</u>	<u>Bexar</u>	<u>1067965990</u>	<u>9-19-49</u>
11-9-21	<u>Dorothy Wilkins</u>	<u>Dorothy Wilkins</u>	<u>931 E St SA TX 78220</u>	<u>Bexar</u>		
11-23-21	<u>Sonia Uribe</u>	<u>Sonia Uribe</u>	<u>1738 Winter Ridge Converse TX 78009</u>	<u>Bexar</u>		

AFFIDAVIT OF CIRCULATOR (DECLARACION JURADA DE LA PERSONA QUE HACE CIRCULAR LA PETICION)  
STATE OF TEXAS (ESTADO DE TEXAS) COUNTY OF Bexar BEFORE ME, the undersigned, on this 12/2/21 (date) personally appeared (ANTE MI, en la presencia de) Debbie Franklin (name of person who circulated petition) (nombre de la persona que hizo circular la petición) who being duly sworn, depose and say: "I called each signer's attention to the above statements and read them to the signer before the signer affixed their signature to the petition. I witnessed the affixing of each signature. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is correct." (I swear, habiendo prestado el juramento correspondiente, declaro y digo: "Leí la atención de cada firmante sobre la declaración citada y se la leí antes de que la suscribiera. Atesté cada firma y la fecha correcta de las firmas consta en la petición. Verifiqué la situación de cada firmante en lo concerniente a su inscripción y creo que cada firma es la verdadera de la persona cuyo nombre aparece firmado y que son correctos los datos correspondientes a cada firmante.") SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE (JURADO Y SUSCRIBIDO ANTE MI EN ESTA FECHA)  
Debbie Franklin Signature of circulator (Firma de la persona que hace circular la petición)  
Notary Public Signature of Notary Public (Firma del Notario Público)  
BOBBY MARTINEZ  
Notary Public, State of Texas  
My Commission Expires March 22, 2022  
ID # 13018557-0

# EXHIBIT 3

APPLICATION FOR A PLACE ON THE GENERAL PRIMARY BALLOT

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL.<sup>1</sup> Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE <u>Democratic</u> PARTY GENERAL PRIMARY BALLOT					
(Democratic or Republican)					
TO: State/County Chair					
I request that my name be placed on the above-named official primary ballot as a candidate for nomination to the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.) <u>Justice of the Peace, Precinct 4</u>				INDICATE TERM <input checked="" type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last) <u>Michele Carey Garcia</u>			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT* <u>Michele Garcia</u>		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.) <u>405 E Lindbergh</u>			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.) <u>Same</u>		
CITY <u>Universal City</u>	STATE <u>Tx</u>	ZIP <u>78148</u>	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.) <u>michelegarcia64@gmail.com</u>		OCCUPATION (Do not leave blank) <u>Court Clerk</u>	DATE OF BIRTH <u>05 / 17 / 1984</u>	VOTER REGISTRATION VUID NUMBER <sup>2</sup> (Optional) <u>1190699313</u>	
TELEPHONE CONTACT INFORMATION (Optional)					
Home:		Office:		Cell: <u>(210) 843-0177</u>	
FELONY CONVICTION STATUS (You MUST check one)			LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN		
<input checked="" type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. <sup>3</sup>			IN THE STATE OF TEXAS <u>37</u> year(s) <u>7</u> month(s)		
			IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED <u>37</u> year(s) <u>7</u> month(s)		
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) <u>Michele Carey Garcia</u> , who being by me here and now duly sworn, upon oath says:					
"I, (name of candidate) <u>Michele Carey Garcia</u> , of <u>Bexar</u> County, Texas,					
being a candidate for the office of <u>Justice of the Peace, Precinct 4</u> , swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."					
<div style="text-align: center;">X  SIGNATURE OF CANDIDATE</div>					
Sworn to and subscribed before me this the <u>10</u> day of <u>December</u> , <u>2021</u> , by <u>Michele Carey Garcia</u> (day) (month) (year) (name of candidate)					
Signature of Officer Authorized to Administer Oath <sup>4</sup> 			James Kane Printed Name of Officer Authorized to Administer Oath		
Notary Title of Officer Authorized to Administer Oath					
TO BE COMPLETED BY CHAIR OR DESIGNEE: THIS APPLICATION IS ACCOMPANIED BY <input type="checkbox"/> CASH <input checked="" type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE.					
This document and \$ <u>1000.00</u> filing fee or a nominating petition of <u>57</u> pages received. <input checked="" type="checkbox"/> Voter Registration Status Verified					
<u>12 / 10 / 2021</u> Date Received		<u>12 / 10 / 21</u> Date Accepted		(See Section 1.007)  Signature of Chair or Designee	

# EXHIBIT 4

**MEDIA REPORT**

**BEXAR COUNTY, TEXAS  
GENERAL, SPECIAL, CHARTER, BOND  
NOVEMBER 6, 2018**

**OFFICIAL RESULTS**

**RUN DATE: 11/16/18 02:49 PM**

	TOTAL VOTES	%	EARLY VOTE	ELECTION DAY
PRECINCTS COUNTED (OF 752) . . . . .	752	100.00		
REGISTERED VOTERS - TOTAL . . . . .	1104,746			
BALLOTS CAST - TOTAL . . . . .	551,896		420,191	131,705
VOTER TURNOUT - TOTAL . . . . .		49.96		
<b>Straight Party</b>				
<b>Vote For 1</b>				
(WITH 751 OF 751 PRECINCTS COUNTED)				
Republican Party (REP) . . . . .	134,360	40.86	103,958	30,402
Democratic Party (DEM) . . . . .	191,776	58.31	141,351	50,425
Libertarian Party (LIB) . . . . .	2,729	.83	1,636	1,093
Over Votes . . . . .	24		24	0
Under Votes . . . . .	223,007		173,222	49,785

**Justice of the Peace, Precinct 1, Place 1**  
**Vote For 1**  
(WITH 146 OF 146 PRECINCTS COUNTED)

Robert "Bobby" Tejada (DEM) . . . . .	77,704	100.00	55,386	22,318
Over Votes . . . . .	0		0	0
Under Votes . . . . .	28,412		20,793	7,619

**Justice of the Peace, Precinct 1, Place 2**  
**Vote For 1**  
(WITH 146 OF 146 PRECINCTS COUNTED)

Ciro D. Rodriguez (DEM) . . . . .	78,081	100.00	55,625	22,456
Over Votes . . . . .	0		0	0
Under Votes . . . . .	28,035		20,554	7,481

**Justice of the Peace, Precinct 3, Place 1**  
**Vote For 1**  
(WITH 208 OF 208 PRECINCTS COUNTED)

Jeff Wentworth (REP) . . . . .	123,406	70.39	99,231	24,175
Eric J. Velasquez (LIB) . . . . .	51,901	29.61	41,177	10,724
Over Votes . . . . .	1		1	0
Under Votes . . . . .	37,500		30,145	7,355

**Justice of the Peace, Precinct 4, Place 1**  
**Vote For 1**  
(WITH 212 OF 212 PRECINCTS COUNTED)

Rogelio "Roger" Lopez, Jr. (DEM) . . . . .	72,161	79.67	53,285	18,876
David Brady (LIB) . . . . .	18,413	20.33	13,590	4,823
Over Votes . . . . .	1		1	0
Under Votes . . . . .	24,951		19,411	5,540

**Bexar County ESO No. 12 Proposition A**  
**Vote For 1**  
(WITH 8 OF 8 PRECINCTS COUNTED)

For . . . . .	1,600	54.96	1,209	391
Against . . . . .	1,311	45.04	1,032	279
Over Votes . . . . .	0		0	0
Under Votes . . . . .	531		387	144



# EXHIBIT 5

**VERIFICATION**

STATE OF TEXAS           §

§

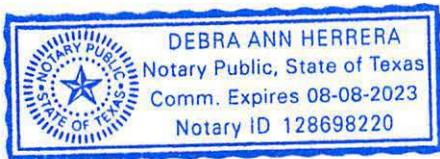
COUNTY OF BEXAR       §

BEFORE ME, the undersigned authority, on this day personally appeared Rogelio Lopez, Jr. known to me to be the person whose name is subscribed to the foregoing instrument, who, after being duly sworn, states that the facts asserted and statements contained in the request for mandamus and request for emergency relief are true and correct, that the documents attached as exhibits to the request for mandamus relief are true and correct copies of said documents, and that he has signed this Verification in the capacity herein stated and it is within his personal knowledge.

By: \_\_\_\_\_

ROGELIO LOPEZ, JR.

SWORN AND SUBSCRIBED before me on this 14 day of December, 2021, to certify which witness my hand and seal of office.



Debra Herrera  
NOTARY PUBLIC, STATE OF TEXAS

My commission expires 8/8/23

### Automated Certificate of eService

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Catherine Poncio on behalf of Adam Poncio  
Bar No. 16109800  
cponcio@ponciolaw.com  
Envelope ID: 60101674  
Status as of 12/16/2021 2:49 PM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Albert Whitby		albertwhitby@gmail.com	12/16/2021 2:43:48 PM	SENT
Albert Whitby		albertwhitby@gmail.com	12/16/2021 2:43:48 PM	SENT
Adam Poncio		salaw@msn.com	12/16/2021 2:43:48 PM	SENT
Alan Braun		abraun@ponciolaw.com	12/16/2021 2:43:48 PM	SENT
Teresa Cantera		tcantera@ponciolaw.com	12/16/2021 2:43:48 PM	SENT
Angela Zepeda		angelazepeda@ponciolaw.com	12/16/2021 2:43:48 PM	SENT
Adam Poncio		aponcio@ponciolaw.com	12/16/2021 2:43:48 PM	SENT
Michele CareyGarcia		michelegarcia64@gmail.com	12/16/2021 2:43:48 PM	SENT

# **EXHIBIT “B”**

NO. 04-21-00558-CV

FILED IN  
4th COURT OF APPEALS  
SAN ANTONIO, TEXAS  
12/16/21 1:07:10 PM  
MICHAEL A. CRUZ  
Clerk

\* \* \*

**IN THE COURT OF APPEALS**  
**FOURTH SUPREME JUDICIAL DISTRICT**  
**SAN ANTONIO, TEXAS**

\* \* \*

**IN RE ROGELIO LOPEZ, JR.,**  
**BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1**  
**Relator**

\* \* \* \*

**EMERGENCY MOTION FOR TEMPORARY RELIEF AND/OR FOR**  
**STAY PENDING RULING ON EMERGENCY PETITION FOR WRIT OF**  
**MANDAMUS AND/OR PETITION FOR WRIT OF MANDAMUS**

\* \* \* \*

**Adam Poncio**  
**State Bar No. 16109800**  
**PONCIO LAW OFFICES**  
**A Professional Corporation**  
**5410 Fredericksburg Road #109**  
**San Antonio, Texas 78229-3550**  
**Telephone: (210) 212-7979**  
**Facsimile: (210) 212-5880**  
**salaw@ponciolaw.com**

**ATTORNEYS FOR RELATOR**

December 16, 2021

NO. 04-21-00558-CV

\* \* \*

**IN THE COURT OF APPEALS  
FOURTH SUPREME JUDICIAL DISTRICT  
SAN ANTONIO, TEXAS**

\* \* \*

**IN RE ROGELIO LOPEZ, JR.,  
BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1  
Relator**

\* \* \* \*

**EMERGENCY MOTION FOR TEMPORARY RELIEF AND/OR FOR  
STAY PENDING RULING ON EMERGENCY PETITION FOR WRIT OF  
MANDAMUS AND/OR PETITION FOR WRIT OF MANDAMUS**

\* \* \* \*

TO THE HONORABLE COURT OF APPEALS:

Relator ROGELIO LOPEZ, JR., BEXAR COUNTY JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1 ("Relator"), has petitioned this court for leave to file a writ of mandamus against Respondent/Real Party in Interest, Monica Alcantara, Bexar County Democratic Party Chairwoman ("Alcantara"). Relator now requests temporary relief and/or an emergency stay of the actions and proceedings in this matter pending a determination by the Court of this petition.

1. Relator is Rogelio Lopez, Jr., Bexar County Justice of the Peace, Precinct 4, Place 1. Relator is represented by Adam Poncio, PONCIO LAW

OFFICES, P.C., 5410 Fredericksburg Road #109, San Antonio, Texas 78229-3550.

2. Respondent and Real Party in Interest is Monica Alcantara, Bexar County Democratic Party Chair, Bexar County Democratic Party Headquarters, 1844 Fredericksburg Rd, San Antonio, Texas 78201. The two candidates for office at issue are Albert Whitby and candidate Michele Carey Garcia. Counsel will supplement with addresses and contact information.

3. This court has mandamus jurisdiction over this proceeding under TEX. ELEC. CODE § 273.061, which authorizes this court to issue a writ of mandamus "to compel the performance of any duty imposed by law in connection with the holding of an election... regardless of whether the person responsible for performing the duty is a public officer."

4. This court has mandamus jurisdiction over this proceeding under TEX. ELEC. CODE § 273.061, which authorizes this court to issue a writ of mandamus "to compel the performance of any duty imposed by law in connection with the holding of an election... regardless of whether the person responsible for performing the duty is a public officer. " Moreover and/or alternatively, mandamus issues to correct a clear abuse of discretion, or the violation of a duty imposed by law, where there is no adequate remedy by appeal. *In re Daisy Mfg. Co.*, 17 S.W.3d 654, 658 (Tex. 2000) (orig. proceeding) (per curiam). Moreover, the court of appeals has "such other jurisdiction, original and appellate, as may be prescribed by law." Tex. Const. art. V, § 6. Moreover, the court may issue an order staying proceedings pursuant to Rule 52.10(b) Tex. R. App. P.

5. Despite being informed of defects in the applications for office, Chairwoman Alcantara has disregarded her obligation to reject the applications for office filed by candidates for Justice of the Peace Albert Whitby and candidate Michele Carey Garcia. The respective "Application for a Place on the General Primary Ballot" filed by each candidate is defective pursuant to the Texas Election Code, and accordingly must be rejected. Each respective application fails to meet the requirements prescribed in the Texas Election Code.

6. Mr. Whitby's application was accompanied by 39 pages of petitions, all of which list the candidate office as "Justice of the Peace, Precinct 4." All the petitions failed to include the place number as "Place 1." This is a defect in each of these petition pages, which renders each of them invalid.

7. Ms. Garcia's application listed the office as "Justice of the Peace, Precinct 4" and failed to include the place number as "Place 1." This is also a defect which also renders the application invalid.

8. The Texas Election Code provides "If an application does not comply with the applicable requirements, the authority **shall** reject the application. " TEX. ELEC. CODE § 141.032 (emphasis added). While Chairwoman Alcantara has been informed of the defect in the applications, she has failed and refused to reject the applications as required by law.

9. The record in this original proceeding consists of an Appendix containing verified copies of the pertinent documents.

10. By this motion, Relator is requesting an emergency stay in the



underlying matter. It is requested that the certification to the secretary of state for the ballot in the race at issue by Real Party in Interest and/or any of her representatives, any drawing for placement on the ballots for respective candidates scheduled for and held on December 15, 2021, be stayed and/or nullified and/or that the applications be deemed or ordered rejected and that a new drawing be held for placement on the ballot. Furthermore and/or alternatively, it is requested that placing the respective candidates on the ballot be stayed until this matter can be resolved. The requested emergency stay is necessary to maintain the status quo of the parties and to preserve the Court's jurisdiction to consider the merits of the underlying orders and/or the mandamus request filed. *In re Reed*, 901 S.W.2d 604, 609 (Tex. App. -- San Antonio 1995, orig proceeding). As set out above, an emergency order is necessary in order to prevent the improper conduct of the Real Party In Interest, to order that she comply with her duties to reject the applications and to maintain this Court's jurisdiction while a determination is made regarding any abuse of discretion or failure of Alcantara to perform her statutory obligations and/or for this court to determine the merits.

5. Relators are requesting an emergency stay of the proceedings in this matter. The actions of Alcantara and/or her representatives should be stayed with regard to the race at issue because Alcantara is obligated to certify the ballot for the race by close of business on December 17, 2021. She has indicated that she intends to certify the ballot today, December 16, 2021 by 4:00 pm. Her actions should be stayed pending a determination on this mandamus by the Court of Appeals and, if

necessary, by the Texas Supreme Court. The requested emergency stay is necessary to maintain the status quo of the parties and to preserve the Court's jurisdiction to consider the merits of the underlying orders and/or the mandamus request filed. *In re Reed*, 901 S.W.2d 604, 609 (Tex. App. – San Antonio 1995, orig proceeding).

### **RELIEF REQUESTED AND REQUEST FOR EMERGENCY STAY**

6. Relator requests leave to file his Emergency Petition For Writ of Mandamus.

7. Relator further and alternatively requests that the court enter temporary orders staying any placement of the two candidates addressed herein, candidate Whitby and/or candidate Garcia, from being placed on the ballot for the election for Bexar County Justice of the Peace, Precinct 4, Place 1, until this matter is determined.

8. Because the certification of the ballot must be filed with the Secretary of State by close of business on December 17, 2021. However, Alcantara has indicated she will certify the ballot by 4:00pm today on December 16, 2021. It is requested that the court stay any certification of the ballot by Alcantara or any representative of her office for Bexar County Justice of the Peace, Precinct 4, Place 1, staying the placement on the ballot or drawing for a place on the ballot for the candidates and/or temporarily abating or preventing their certification or placement on the ballot or drawing for their place on the ballot, until such time as this court can review and decide this mandamus action.

9. Relator further and alternatively requests that this Court issue a writ of mandamus to the Chairwoman Alcantara ordering Alcantara to reject the applications

for candidate Whitby and/or candidate Garcia in order to allow for proper review by the court and/or, alternatively, to order that she reject the applications and/or petitions, in whole or in part, as this court may deem appropriate, and for all other relief, temporary or otherwise, this court deems appropriate.

WHEREFORE, relator requests that the Court stay the actions as set out above until such time as this court can review and decide this mandamus action, and for all other relief this court deems appropriate.

**Respectfully submitted,**

**PONCIO LAW OFFICES  
A Professional Corporation  
5410 Fredericksburg Road #109  
San Antonio, Texas 78229-3550  
Telephone: (210) 212-7979  
Facsimile: (210) 212-5880**

**/s/ Adam Puncio**

**BY:**

\_\_\_\_\_  
**Adam Puncio  
State Bar No. 16109800  
aponcio@ponciolaw.com**

**ATTORNEYS FOR RELATOR**

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon all parties and that I have notified them by attempting to contact them by phone or by email that I intend to file the request for temporary relief and have served them by service as follows:

Ms. Monica Alcantara - by Hand Delivery  
Chairwoman, Bexar County Democratic Party  
1844 Fredericksburg Road  
San Antonio, Texas 78201

Albert Whitby - albertwhitby@gmail.com  
c/o Bexar County Democratic Party  
1844 Fredericksburg Road  
San Antonio, Texas 78201

Michele Carey Garcia - michelegarcia64@gmail.com  
c/o Bexar County Democratic Party  
1844 Fredericksburg Road  
San Antonio, Texas 78201

on this 16<sup>th</sup> day of December, 2021

/s/ Adam Poncio  
Adam Poncio

## **CERTIFICATE OF COMPLIANCE**

Pursuant to Texas Rule of Appellate Procedure 9.4(i)(3), I hereby certify that this motion contains 1,652 words, excluding the words not included in the word count under the rules, or 7 pages, excluding the pages not included in the page count under the rules, pursuant to Texas Rule of Appellate Procedure 9.4(i)(1). This is a computer generated document created in Word Perfect X8, using 14-point typeface for all text, except for footnotes which are in 12-point typeface. In making this certificate of compliance, I am relying on the word count provided by the software used to prepare the document.

/s/ Adam Poncio  
ADAM PONCIO

### **Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Angela Zepeda on behalf of Adam Poncio  
Bar No. 16109800  
angelazepeda@ponciolaw.com  
Envelope ID: 60095039  
Status as of 12/16/2021 2:25 PM CST

#### **Case Contacts**

<b>Name</b>	<b>BarNumber</b>	<b>Email</b>	<b>TimestampSubmitted</b>	<b>Status</b>
Adam Poncio		salaw@msn.com	12/16/2021 1:07:10 PM	SENT
Cathy Poncio		cponcio@ponciolaw.com	12/16/2021 1:07:10 PM	SENT
Angela Zepeda		angelazepeda@ponciolaw.com	12/16/2021 1:07:10 PM	SENT
Albert Whitby		albertwhitby@gmail.com	12/16/2021 1:07:10 PM	SENT
Michele CareyGarcia		michelegarcia64@gmail.com	12/16/2021 1:07:10 PM	SENT

# **EXHIBIT “C”**

I Michele Garcia respondent,

Please find my response to the petition for a writ of mandamus and emergency motion for temporary relief. Please see Exhibit A and B

FILED  
4th COURT OF APPEALS  
SAN ANTONIO, TEXAS  
12/17/2021 1:32:49 PM

MICHAEL A. CRUZ

- Clerk
1. Exhibit A is the Bexar County Budget for the 2017-2018 year. The Justice of the Peace is an elected official. Justice of the Peace Precinct 4 has two Justices, Places 1 and 2. The Place 1 Justice of the Peace is a full-time Judge, and the Place 2 Justice of the Peace is a part-time Judge. Both Judges are elected to four-year terms. On October 17, 2017, Commissioners Court approved an order to abolish the Office of Justice of the Peace in Bexar County Justice Precinct 3 and 4, designated as Place 2. Please refer to Pages 388-389
  2. Exhibit B is an order signed by all 4 commissioner's formally abolishing Place 2 in the Justice courts 3 and 4. October 17, 2017, the court hereby ordered and approved a motion approving an order abolishing the office of the Justice of the Peace in Bexar County Justice Precinct 4 designated as place 2. To be effective at the end of the day dec 31, 2018 so that the incumbent Justice of the Peace in the Place 2 position can serve out the remainder of the term.
  3. Please review the Exhibits and please consider my response. I was only going off the budge of 2017 and under the impression as stated in the budget that there is only one position in the Justice of the Peace Pct 4. So there is no confusion on the position I am applying for.

**Respectfully Submitted,**

**Michele Garcia  
405 E. Lindbergh  
Universal city Tx 78148  
By: /s/ Michele Garcia**

**Certification of compliance**

**I certify that everything is true and correct to the best of my ability I am relying on Microsoft word.  
provided by the software used to prepare this document.**

CERTIFICATE OF SERVICE

I Herby certify that the true and correct copy of the foregoing document has been served upon  
all parties by the court's filing system, hand delivered and or/or email as follows:

Ms. Monica Alcantara – [martin.galando@gmail.com](mailto:martin.galando@gmail.com)- delivered via email

Chairwoman, Bexar County Democratic Party

1844 Fredericksburg Road

San Antonio, Texas 78201

Albert Whitby - [albertwhitby@gmail.com](mailto:albertwhitby@gmail.com)- delivered via email

c/o Bexar County Democratic Party

1844 Fredericksburg Road

San Antonio, Texas 78201

Michele Carey Garcia - [michelegarcia64@gmail.com](mailto:michelegarcia64@gmail.com)

c/o Bexar County Democratic Party

1844 Fredericksburg Road

San Antonio, Texas 78201

Adam Poncio- [salaw@ponciolaw.com](mailto:salaw@ponciolaw.com)- delivered via email

A Professional corporation

5410 Fredericksburg Road # 109

San Antonio, Texas 78229



### **Automated Certificate of eService**

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Envelope ID: 60136972

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#### Case Contacts

<b>Name</b>	<b>BarNumber</b>	<b>Email</b>	<b>TimestampSubmitted</b>	<b>Status</b>
Adam Poncio		aponcio@ponciolaw.com	12/17/2021 1:32:49 PM	SENT
Cathy Poncio		cponcio@ponciolaw.com	12/17/2021 1:32:49 PM	SENT
Angela Zepeda		angelazepeda@ponciolaw.com	12/17/2021 1:32:49 PM	SENT
Michele CareyGarcia		michelegarcia64@gmail.com	12/17/2021 1:32:49 PM	SENT
Albert Whitby		albertwhitby@gmail.com	12/17/2021 1:32:49 PM	SENT

Item – 50

October 17, 2017

District Attorney's Office



FILED IN  
4th COURT OF APPEALS  
SAN ANTONIO, TEXAS

12/17/2021 1:32:49 PM

The Court hereby ordered and approved a motion approving an Order Abolishing the Office of Justice of the Peace in Bexar County Precinct 3, designated as Place 2 and an Order Abolishing the Office of Justice of the Peace in Bexar County Justice Precinct 4, designated as Place 2, to be effective at the end of the day December 31, 2018 so that the incumbent Justices of the Peace in the Place 2 positions can serve out the remainder of their terms. (Record)

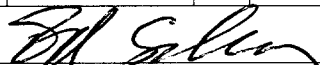
A motion was presented by County Commissioner Sergio “Chico” Rodriguez, duly seconded by County Commissioner Paul Elizondo, which motion was voted on as follows: Commissioners Rodriguez, Elizondo, and Judge Wolff voting “Aye”.

VOL 1072 PG 836



Item Number: 50  
(for Comm Ct use only)

## AGENDA COORDINATION FORM Bexar County Commissioners Court

Type of Agenda Item (Choose one):	<input type="checkbox"/> Ceremonial	<input type="checkbox"/> Special Presentation	<input type="checkbox"/> Time Certain	<input type="checkbox"/> Consent	<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> X
Sponsoring Office/Department:	Commissioners Court		Recipient Agency/Individual Name:			
Contact Person:	Ed Schweninger	Phone Number:	52141	Court Date Requested: 10/17/2017		
Presenter:	Ed Schweninger	Phone Number:	52141	Deadline for Action: Before Nov 11 primary filing period		
Audio/Visual Presentation:	Y	N	X	Two Written Orders		
Official/Department Head Signature:				ADA Assistance Required (type): Abolishing Offices		
				Small, Minority, Women-owned Business Enterprise (SMWBE) Impact: Y ___ N ___		

**CAPTION:** Discussion and appropriate action regarding abolishment of the half-time positions in Justice Precincts 3 and 4 designated as "Justice of the Peace, Precinct 3, Place 2," and "Justice of the Peace, Precinct 4, Place 2" to be effective at the end of the day December 31, 2018 so that the incumbent Justices of the Peace in the Place 2 positions can serve out the remainder of their terms.

**ESTIMATED PRESENTATION TIME:** 10 Min

**BACKGROUND:** The Commissioners Court has conducted a workload analysis through its budget process over the past 2 years which has revealed a steady decline of incoming workload since 2013 in Bexar County Justice Precincts 2, 3 and 4. The Bexar County Commissioners Court now finds that half-time positions are unnecessary to assist in the handling of the incoming workload of Bexar County Justice of the Peace Precincts 2, 3 and 4. The incoming workload for Bexar County Justice Precincts 2, 3 and 4 has sufficiently declined so that the full-time Justices of the Peace in those Justice Precincts can handle all legal matters pending in each respective Justice Precinct without the need for assistance from the half-time Justices of the Peace. These matters have been discussed in public meetings over the past 2 years and public comment has been encouraged. The Bexar County Commissioners Court now finds it appropriate to abolish the half-time positions in Justice Precincts 3 and 4 designated as "Justice of the Peace, Precinct 3, Place 2," and "Justice of the Peace, Precinct 4, Place 2," to be effective at the end of the day December 31, 2018 so that the incumbent Justices of the Peace in the Place 2 positions can serve out the remainder of their terms.

**RECOMMENDED MOTION:**

Approval of an Order Abolishing the office of Justice of the Peace in Bexar County Precinct 3, designated as Place 2, and an Order Abolishing the Office of Justice of the Peace in Bexar County Justice Precinct 4, designated as Place 2, to be effective at the end of the day December 31, 2018 so that the incumbent Justices of the Peace in the Place 2 positions can serve out the remainder of their terms.

VOL 1072 PG 837

**FISCAL ASSESSMENT:**

1	Is this a revenue or expense?	Revenue		Expense	
2	Dollar amount of revenue or expense associated with item?				
3	Is this a budgeted revenue or expense?	Yes		No	
4	Does this item require additional staff?	Yes		No	
5	Will this increase your current budget?	Yes		No	
6	Impact on future Budget? If Yes, Explain in Comments.	Yes		No	
7	Current Expenditure Estimate?				
8	If an expense, what is the current Object Code budget amount?				
9	If an expense, are sufficient funds currently budgeted in the Object Code?	Yes		No	
10	If an expense, are sufficient funds currently budgeted in the Appropriation Unit?	Yes		No	
11	List impacted offices or departments or note if countywide:				
12	Fund number:				
13	Org number:				
14	Object Code number:				
15	If this is a grant, what is the estimated amount of program income?				
16	If this is a grant, what is the amount of Grantor funding?				
17	If this is a grant, what is the required County cash match?				
18	If this is a grant, what is the required County in-kind/allocation match?				
19	If this is a grant, was item approved by the Grant Review Committee?				
20	Comments:				
21	Coordinated by		Verified By		

THE STATE OF TEXAS       §  
                                          §  
 THE COUNTY OF BEXAR     §

**ORDER ABOLISHING THE OFFICE OF JUSTICE OF THE PEACE IN  
 BEXAR COUNTY JUSTICE PRECINCT 3, DESIGNATED AS PLACE 2**

**WHEREAS**, there are currently two Justices of the Peace in Bexar County Justice Precinct 3, denominated, respectively, Justice of the Peace, Precinct 3, Place 1, and Justice of the Peace, Precinct 3, Place 2;

**WHEREAS**, an additional Justice of the Peace position was created effective November 8, 2013 for the purpose of providing needed assistance for justice of the peace services in that justice precinct;

**WHEREAS**, there is currently a full-time Justice of the Peace in Bexar County Justice Precinct 3, designated Place 1, and the Justice of the Peace designated as Place 2 is a half-time position, according to the practice of Bexar County for such positions;

**WHEREAS**, the Commissioners Court conducted a workload analysis through its budget process which revealed a steady decline of incoming workload since 2013 in Bexar County Justice Precincts 2, 3 and 4;

**WHEREAS**, the Bexar County Commissioners Court now finds that half-time positions are unnecessary to assist in the handling of the incoming workload of Bexar County Justice of the Peace Precincts 2, 3 and 4;

**WHEREAS**, the incoming workload for Bexar County Justice Precincts 2, 3 and 4 has sufficiently declined so that the full-time Justices of the Peace in those Justice Precincts can handle all legal matters pending in each respective Justice Precinct without the need for assistance from the half-time Justices of the Peace;

**WHEREAS**, the Bexar County Commissioners Court finds it appropriate to abolish the half-time position of Justice of the Peace in Bexar County Justice Precinct 3, designated as "Justice of the Peace, Precinct 3, Place 2," effective at the end of the day December 31, 2018 so that the incumbent Justice of the Peace in the Place 2 position can serve out the remainder of his term of office; and

**WHEREAS**, the Commissioners Court of Bexar County finds this action is in the best interest of the citizens of Bexar County, and is for the convenience of the people.

**NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF  
 BEXAR COUNTY, TEXAS:**

A. That the Commissioners Court makes the various findings contained in the

recitations stated above, which are incorporated into this Order as legislative findings;

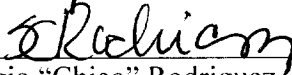
**B.** That the Bexar County Commissioners Court abolishes the half-time position of Justice of the Peace in Bexar County Justice Precinct 3, designated as "Justice of the Peace, Precinct 3, Place 2," effective at the end of the day December 31, 2018.


**BE IT SO ORDERED.**

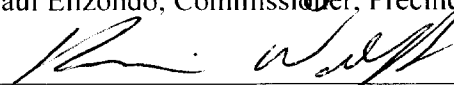
Adopted on this 17 day of October, 2017.

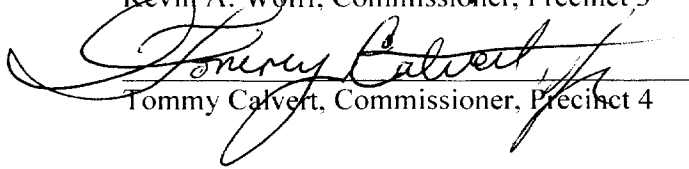
BEXAR COUNTY, TEXAS

  
Nelson W. Wolff, County Judge


  
Sergio "Chico" Rodriguez, Commissioner, Precinct 1

  
Paul Elizondo, Commissioner, Precinct 2

  
Kevin A. Wolff, Commissioner, Precinct 3

  
Tommy Calvert, Commissioner, Precinct 4

ATTEST:

  
Gerard C. Rickhoff, County Clerk

*fan*

THE STATE OF TEXAS       §  
                                          §  
 THE COUNTY OF BEXAR     §

**ORDER ABOLISHING THE OFFICE OF JUSTICE OF THE PEACE IN  
 BEXAR COUNTY JUSTICE PRECINCT 4, DESIGNATED AS PLACE 2**

**WHEREAS**, there are currently two Justices of the Peace in Bexar County Justice Precinct 4, denominated, respectively, Justice of the Peace, Precinct 4, Place 1, and Justice of the Peace, Precinct 4, Place 2;

**WHEREAS**, the Justice of the Peace, Precinct 4, Place 2 position was created effective November 8, 2013 for the purpose of providing needed assistance for justice of the peace services in that justice precinct;

**WHEREAS**, the need for additional assistance in 2013 in Justice Precinct 4 was caused by the redistribution of workloads among the justice precincts resulting from the redistricting of all Bexar County Justice Precincts which made changes to the justice precinct boundaries by conforming them to the commissioner precinct boundaries;

**WHEREAS**, the newly created Justice of the Peace, Precinct 4, Place 2 position was designated to be a half-time position, according to the practice of Bexar County for such positions;

**WHEREAS**, there is currently a full-time Justice of the Peace in Bexar County Justice Precinct 4, designated Place 1;

**WHEREAS**, the Commissioners Court conducted a workload analysis through its budget process which revealed a steady decline of incoming workload since 2013 in Bexar County Justice Precincts 2, 3 and 4;

**WHEREAS**, the Bexar County Commissioners Court now finds that half-time positions are unnecessary to assist in the handling of the incoming workload of Bexar County Justice of the Peace Precincts 2, 3 and 4;

**WHEREAS**, the incoming workload for Bexar County Justice Precincts 2, 3 and 4 has sufficiently declined so that the full-time Justices of the Peace in those Justice Precincts can handle all legal matters pending in each respective Justice Precinct without the need for assistance from half-time Justices of the Peace;

**WHEREAS**, the Bexar County Commissioners Court finds it appropriate to reconsider its action ordering the creation of an office of Justice of the Peace in Bexar County Justice Precinct 4, designated as "Justice of the Peace, Precinct 4, Place 2," and further finds that this office should now be abolished effective at the end of the day

December 31, 2018 so that the incumbent Justice of the Peace in the Place 2 position can serve out the remainder of her term of office; and

**WHEREAS**, the Commissioners Court of Bexar County finds this action is in the best interest of the citizens of Bexar County, and is for the convenience of the people.

**NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS:**

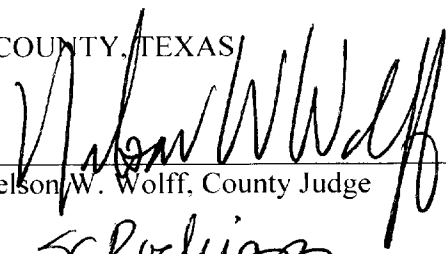
**A.** That the Commissioners Court makes the various findings contained in the recitations stated above, which are incorporated into this Order as legislative findings;

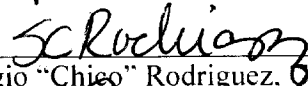
**B.** That the Bexar County Commissioners Court having reconsidered its action ordering the creation of an office of Justice of the Peace in Bexar County Justice Precinct 4, designated as "Justice of the Peace, Precinct 4, Place 2," abolishes this office effective at the end of the day December 31, 2018.

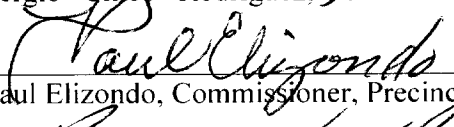
**BE IT SO ORDERED.**

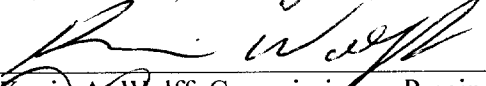
Adopted on this 17 day of October, 2017.

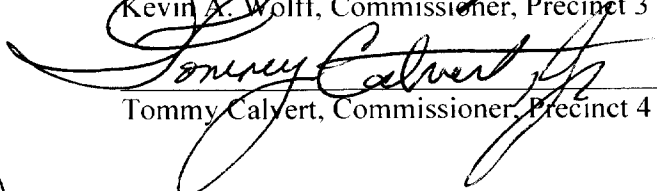
BEXAR COUNTY, TEXAS

  
Nelson W. Wolff, County Judge

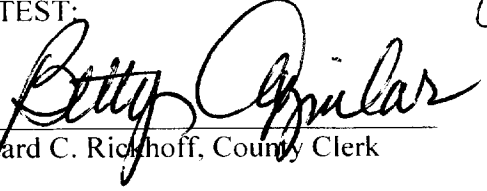
  
Sergio "Chico" Rodriguez, Commissioner, Precinct 1

  
Paul Elizondo, Commissioner, Precinct 2

  
Kevin A. Wolff, Commissioner, Precinct 3

  
Tommy Calvert, Commissioner, Precinct 4

ATTEST:

  
Gerard C. Richhoff, County Clerk

FOR



# **EXHIBIT “D”**



**Fourth Court of Appeals**  
**San Antonio, Texas**

December 17, 2021

No. 04-21-00558-CV

**IN RE** Rogelio **LOPEZ**, Jr., Relator

Original Proceeding

**ORDER**

Sitting: Luz Elena D. Chapa, Justice  
Beth Watkins, Justice  
Liza A. Rodriguez, Justice

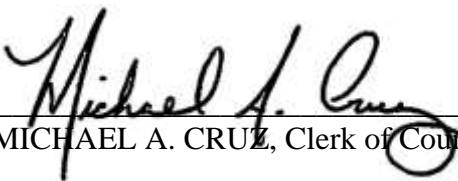
On December 16, 2021, relator filed a petition for writ of mandamus. After considering the petition, the appendix, and the responses from respondent Monica Alcantara and real party in interest Michele Carey Garcia, this court concludes relator has not shown himself to be entitled to the relief sought. Accordingly, the petition for writ of mandamus is denied. *See* TEX. R. APP. P. 52.8(a).

This court's opinion will issue at a later date.

It is so **ORDERED** on December 17, 2021.

PER CURIAM

ATTESTED TO:

  
MICHAEL A. CRUZ, Clerk of Court



# **EXHIBIT “E”**

2021CI26103

CAUSE NO.

**ROGELIO LOPEZ, JR.,  
Plaintiff**

**VS.**

**MONICA ALCANTARA,  
MICHELE CAREY GARCIA and  
ALBERT WHITBY,  
Defendants**

§  
§  
§  
§  
§  
§  
§  
§

**IN THE DISTRICT COURT OF**

**BEXAR COUNTY, TEXAS**

**\_\_\_\_\_ JUDICIAL DISTRICT**

**PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR  
TEMPORARY RESTRAINING ORDER AND/OR TEMPORARY AND/OR  
PERMANENT INJUNCTION**

TO THE HONORABLE JUDGE OF THE COURT:

Plaintiff, Rogelio Lopez, Jr. ("Lopez"), Presiding Judge of the Bexar County Justice of the Peace Court, Precinct 4, Place 1, complaining of Defendants Monica Alcantara ("Alcantara"), in her capacity as Chair of the Bexar County Democratic Party and as a representative of the Bexar County Democratic Party, Michele Carey Garcia ("Garcia") and Albert Whitby ("Whitby"), files this as his Original Petition and Application for Temporary Restraining Order and Temporary and Permanent Injunction, and in support thereof, respectfully state as follows:

**I. DISCOVERY LEVEL**

1. Plaintiff intends to conduct discovery under level three TEX. R. CIV. P. 190.1.

**II. CLAIM FOR RELIEF**

2. Plaintiff's cause of action is for injunctive relief to enjoin a violation of the Texas Election Code as permitted under § 273.081 of the Code. Plaintiff seeks no monetary relief and only nonmonetary relief.

### **III. PARTIES**

3. Plaintiff Rogelio Lopez, Jr. serves as the Presiding Judge of the Bexar County Justice of the Peace Court, Precinct 4, Place 1 in Bexar County, Texas and has served for the last 12 years. Lopez is a resident of Bexar County, Texas. The last four digits of Plaintiff's Social Security Number are 5972 and the last three digits of his Texas Driver's License number are 878.

4. Defendant Monica Alcantara is a resident of Bexar County. Alcantara is sued herein in her capacity as the Chair of the Bexar County Democratic Party and as a representative of the Bexar County Democratic Party and can be served with process herein by delivering the citation and a copy of this pleading to her at 1844 Fredericksburg Road, San Antonio, Texas 78201, or any place she may be found. She and her counsel are also being served by email as follows: Monica Alcantara, monica@electmonica.com and info@bexardemocrat.org and attorney Martin Golando at martin.golando@gmail.com.

5. Defendant Michele Carey Garcia has applied to run in the 2022 Democratic Party primary for the Justice of the Peace, Precinct 4, Place 1 bench. She is a resident of Bexar County, Texas. Garcia is sued in her individual capacity and can be served

with process at her residence, 405 E Lindbergh, Universal City, Texas 78148, or wherever she may be found. Garcia is also being served by email as follows: Michele Carey Garcia - michelegarcia64@gmail.com

6. Defendant Albert Whitby has applied to run in the 2022 Democratic Party primary for the Justice of the Peace, Precinct 4, Place 1 bench. He is a resident of Bexar County, Texas. Whitby is sued in his individual capacity and can be served with process at his residence, 8503 Eagle Crest Blvd., Windcrest, Texas 78239, or wherever he may be found. Whitby is also being served by email as follows: Albert Whitby - albertwhitby@gmail.com

#### **IV. JURISDICTION AND VENUE**

7. This Court has jurisdiction pursuant to under § 273.081 of the Texas Election Code, which provides that a “person who is being harmed or is in danger of being harmed by a violation or threatened violation of this code is entitled to appropriate injunctive relief to prevent the violation from continuing or occurring.” Texas Election Code § 273.081.

8. Venue properly lies in Bexar County, Texas, because a substantial part of the action forming the basis of Plaintiff’s claims against Defendants occurred in Bexar County, Texas, and Defendants reside, are located, or conduct business in Bexar County.

#### **V. FACTUAL BACKGROUND**

9. This is a petition for injunctive relief requesting that Chairwoman Alcantara be compelled to fulfill her duties and obligation as Chair and on behalf of the Bexar County Democratic Party to reject the applications for office filed by candidate Whitby and/or candidate Garcia, as required by the Texas Election Code. The respective "Application for A Place on the General Primary Ballot" filed by each candidate is defective pursuant to the Texas Election Code, and accordingly must be rejected, as required by the Election Code. Each respective application fails to meet the requirements prescribed in the Texas Election Code.

10. The Application for candidate Whitby is defective pursuant to the Texas Election Code, and accordingly must be rejected. The Application fails to meet the requirements prescribed in the Texas Election Code. Mr. Whitby's application was accompanied by 39 pages of petitions, all of which list the candidate office as "Justice of the Peace, Precinct 4." All the petitions failed to include the place number as "Place 1." This is a defect in each of these petition pages, which renders each of them invalid. As the Democratic Party Chair and the designated filing authority, Alcantara must reject the application but has failed to do so, even though she was informed of the defects. The Election Code provides as much, providing "If an application does not comply with the applicable requirements, the authority *shall* reject the application...." TEX. ELEC. CODE § 141.032 (emphasis added).

In addition, as set out below, Whitby's petition contains signatures of

unregistered voters, lacks other required information, has voters included who reside outside the area at issue and/or contain duplicate signatures.

11. Similarly, candidate Garcia's "Application for a Place on the General Primary Ballot" filed on December 10, 2021, is defective pursuant to the Texas Election Code, and accordingly must also be rejected. The Garcia application lists the candidate office as "Justice of the Peace, Precinct 4" but failed to include the place number as "Place 1". As a result, the Democratic Party Chair and the designated filing authority must reject the application. The Application fails to meet the requirements prescribed in the Texas Election Code. Nevertheless, despite being informed of the defect, Alcantara has also failed to reject the Garcia application as required.

## **VI. GOVERNING LAW**

12. With regard to both applications, section 141.031 of the Texas Election Code provides that: (a) A candidate's application for a place on the ballot that is required by this code must: (4) include: (c) the office sought, ***including any place number or other distinguishing number*** ... TEX. ELEC. CODE § 141.031 (emphasis added).

13. Applicable law establishes that the applications must be rejected. The Texas Supreme Court reviewed an identical case, and found that the failure to list the place number in each of the petition pages constituted a defect in each of those petition pages, which rendered all of those pages invalid. *See In re Francis*, 186 S.W.3d 534,



538 (Tex. 2006) (orig. proceeding) (omitting Place 8 constituted a "defect" and an "omission of the statutory requirements..."). Regarding the candidate's omission of "Place 8" on the petitions, the Texas Supreme Court went on to say:

"We agree that the omission of any statutorily required information on a petition renders signatures on that petition invalid. Section 172.027 of the Election Code says that a candidate's place number 'must appear at the top of each page of a petition.' Section 141.063(a)(4) says that a signature on a petition is invalid unless 'each statement that is required by this code . . . appears, at the time of signing, on the page on which the signature is entered.' As the Code requires a place number on each page, and declares invalid any signatures on pages without it, the trial court correctly concluded that all but 27 signatures from the district involved in this challenge are invalid." *In re Francis*, 186 S.W.3d 534, 538 (Tex. 2006).

Moreover, the court went on to say:

"We have strictly enforced mandatory statutory requirements for political candidacy in the past. See, e.g., *Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex.1986) (disqualifying candidate who filed application for two judicial positions and conditioned withdrawal from one on qualification for the other); *Painter v. Shaner*, 667 S.W.2d 123, 125 (Tex. 1984) (noting "statutory mandates" should be "strictly construed"); *Brown v. Walker*, 377 S.W.2d 630, 632 (Tex.1964) (disqualifying candidate who mailed application by regular mail because applications sent before, but received after, the deadline must be sent via certified or registered mail); *Canady v. Democratic Executive Comm. of Travis County*, 381 S.W.2d 321, 324 (Tex.1964) (disqualifying candidate who listed his legal address as one outside the relevant precinct); *Burroughs v. Lyles*, 142 Tex. 704, 181 S.W.2d 570, 573 (1944)."

*In re Francis*, 186 S.W.3d 534, 538 at fn 15 (Tex. 2006).

14. The law is clear that because all 39 of Mr. Whitby's petitions lack the "Place 1" designation, all 39 pages are invalid. Accordingly, his application must be rejected.

15. Mr. Whitby's omission was not due to his lack of knowledge. He was clearly

aware that he was making an application for the Justice of the Peace Precinct 4, Place 1 position, as his "Application for a Place on the General Primary Ballot" clearly designates the office sought as "Bexar County Justice of the Peace Precinct 4, Place 1."

16. The Bexar County Elections Department clearly recognizes that these are two distinct offices for Justice of the Peace. Further, the ballot from the 2018 General Election also clearly identifies the office designation as the "Justice of the Peace, Precinct 4, Place 1."

17. Similarly, Garcia made the same error on her application. Her application should also be similarly rejected. "[C]andidates must bear ultimate responsibility for filing a proper application and petition." *In re Francis*, 186 S.W.3d 534 at 541 (Tex.2006) (orig. proceeding). Each candidate is responsible for the contents of their application. See *Id.* at 543 (holding that former argued availability of limited opportunity to cure "does not absolve candidates of the need for diligence and responsibility in their filings; party chairs must only notify them of defects, not do their work for them"); *see also Escobar v. Sutherland*, 917 S.W.2d 399, 405 (Tex. App. -- El Paso 1996, orig. proceeding) ("[I]n the end, it is the candidate who must insure that the application complies with established law. If the candidate does not, he is at risk of having his candidacy rejected; if not by the County Chair, then by the courts."); *Risner v. Harris Cnty. Republican Party*, 444 S.W.3d 327, 344-345 (Tex.

App. 2014).

18. Texas courts have used a simple distinction to determine who should suffer the consequences of failing to follow the election code. If the failure to comply with the election code is something within the candidate's control, as in the present case, the candidate is kept off the ballot. *In re Parsons*, 110 S.W.3d 15, 16 (Tex. App. -- Waco 2002, no pet.), citing *Gibson*, 960 S.W.2d at 421. The error in both of the applications involved herein were errors by the candidates, particularly because of their late filing as in the *Parsons* case. There is no contention the errors involved herein were that of an election official.

19. Under these facts, Chairwoman Alcantara has no choice but to reject the applications, as her duty is both mandatory and ministerial, but she has failed to do so. The Texas Supreme Court has emphasized that the sections of the Election Code dealing with candidacy for political office are mandatory and are to be strictly enforced. *Wallace v. Howell*, 707 S.W.2d 876, 877 (Tex. 1986) (orig. proceeding). "The party chair's duty to determine whether an application for a place on the ballot complies with the statutory requirements is ministerial." *In re Triantaphyllis*, 68 S.W.3d 861, 869 (Tex. App. -- Houston [14th Dist.] 2002, orig. proceeding). The Texas Supreme Court has further made it clear that "[i]f a candidate's application does not comply with the Code's requirements, the party chair has no discretion but to reject the application and remove the candidate's name from the candidate list.

TEX. ELEC. CODE §§ 141.032(e), 172.029(d); *Escobar v. Sutherland*, 917 S.W.2d 399 at 406 (Tex. Civ. App.-- El Paso 1996, orig. proceeding); *In re Gamble*, 71 S.W.3d 313 (Tex. 2002). Thus, under both the Election Code and the Texas Supreme Court's Page -9- interpretation of the Code, Chairwoman Alcantara, as the Chair of the Bexar County Democratic Party must reject Mr. Whitby's and Ms. Garcia's application.

20. Moreover, should Chairwoman Alcantara determine that she should, as the Democratic Party Chair, wish to afford an opportunity for cure, she has no authority to accept an amended application after the filing deadline. The Texas Election Code, § 172.0222 provides that: (I) After the filing deadline: (1) a candidate may not amend an application filed under Section 172.021; and (2) the authority with whom the application is filed may not accept an amendment to an application filed under Section 172.021. Tex. Election Code Sec. 172.0222 The Election Code prohibits amendments or corrections after the filing deadline

21. Borrowing largely from the opinion in *Risner v. Harris County Republican Party*, 444 S.W.3d 327 (Tex. App. -- Houston [1st Dist.] 2014, no pet.), it is clear the Chairwoman and/or any court may not allow for the correction or amendment of any application; they must be rejected. As set out, prior to 2011, the Texas Election Code neither specifically authorized nor specifically prohibited amendments to applications for positions on a ballot after the filing deadline for such applications.

Instead, the Code merely required that a candidate's application "be timely filed with the appropriate authority." TEX. ELEC. CODE Ann. § 141.031(a)(3). The Code further required a party chair to review the application within either five days or "as soon as practicable," to reject any non-compliant application, and to immediately notify the candidate of the reason for the rejection. Id. § 141.032(a), (b), (c), (e).

22. In *In re Gamble*, *In re Francis*, and *In re Holcomb*, the Texas Supreme Court construed the statutory provisions, in conjunction with the statutory authorization in Texas Election Code section 273.081 to grant equitable relief to persons being harmed by violations of the code, to authorize courts to grant equitable relief and to allow a candidate whose application contained facial defects to cure his or her defective application after the filing deadline when the party chair failed to fulfill his or her statutory obligation to timely review the application and notify the candidate of the defects. See *In re Holcomb*, 186 S.W.3d 553, 555 (Tex.2006) (orig. proceeding); *In re Francis*, 186 S.W.3d 534, 541-43 (Tex.2006) (orig. proceeding); *In re Gamble*, 71 S.W.3d at 317-19. The supreme court further stated, however, that such "candidates should have the same opportunity to cure as they would have had before the deadline passed." *In re Holcomb*, 186 S.W.3d at 555 (emphasis added); see *In re Francis*, 186 S.W.3d at 541, 542 ("Candidates should have the same opportunity to cure as a proper review before the filing deadline would have allowed them"; stating that code allows "party chairs to focus on facial defects and call for

correction before the filing deadline"; *In re Gamble*, 71 S.W.3d at 318 ("There would be no purpose to the duty to notify the prospective candidate of defects in his or her application if the intent was not to allow an opportunity to cure those defects, particularly if the defects can be corrected before the filing deadline"; "under limited circumstances, statutory deadlines may be extended to correct an official's violation of a statutory duty"; and denying relief because "[t]here was no court decision entitling Judge Gamble to amend his application after the statutory deadline"). Consequently, the Election "Code and well-established Texas law" did not, in the absence of a court order, "permit a party officer to allow a candidate who filed a defective application before the filing deadline to amend his application after the deadline so the party chair can place the candidate on the ballot." *In re Gamble*, 71 S.W.3d at 319 (Baker, J., concurring).

23. In 2011, however, the legislature amended section 141.032 of the Election Code by adding Subsection (g), to state that "a candidate may not amend an application filed under Section 141.031" and "the authority with whom the application is filed may not accept an amendment to an application filed under Section 141.031" after the filing deadline. *See* Act of May 19, 2011, 82d Leg., R.S., ch. 254, § 1, 2011 Tex. Gen. Laws 834, 834 (codified at Tex. Elec. Code Ann. § 141.032(g)).

24. When construing a statute, the court's ultimate goal is to effectuate legislative

intent. *See Fresh Coat, Inc. v. K-2, Inc.*, 318 S.W.3d 893, 901 (Tex.2010); *Marks v. St. Luke's Episcopal Hosp.*, 319 S.W.3d 658, 663 (Tex.2010). Under the plain meaning rule, the court reviews the text of the statute, and must determine the legislature's intent from the plain meaning of the words chosen "unless there is an obvious error such as a typographical one that resulted in the omission of a word or application of the literal language of a legislative enactment would produce an absurd result." *Fleming Foods of Tex., Inc. v. Rylander*, 6 S.W.3d 278, 284 (Tex.1999) (internal citations omitted); *see also* Tex. Gov't Code Ann. § 311.011(a) (West 2013); *Fresh Coat, Inc.*, 318 S.W.3d at 901; *Cornyn v. Universe Life Ins. Co.*, 988 S.W.2d 376, 378-79 (Tex. App. -- Austin 1999, pet. denied).

25. After the 2011 amendments, the express, unambiguous terms of section 141.032(g) of the Election Code prohibits a candidate from amending an application after the filing deadline and prohibits a party chair from accepting such an amendment. *See* Tex. Elec. Code Ann. § 141.032(g); Tex. Gov't Code Ann. § 311.016(5) (West 2013) (" 'May not' imposes a prohibition and is synonymous with 'shall not.' "). The statute does not contain an obvious error, and application of the literal language of the statute does not produce an absurd result. *See Fleming*, 6 S.W.3d at 284. Moreover, in the context of the Election Code, the meaning of the statute is clear: a candidate's application must be timely filed with the appropriate authority by the filing deadline and a candidate may only amend the application

during the time period in which the candidate is allowed to file a new petition. See TEX. ELEC. CODE Ann. § 141.031(a)(3) (requiring candidate to timely file application), § 141.032(a), (e), (g) (requiring authority with whom application is filed to review application for compliance with procedures, including timeliness of filing, requiring application not timely filed to be rejected, and prohibiting amendments to application after filing deadline). Therefore, the meaning of the statute-candidates are prohibited from filing, and party chairs are prohibited from accepting, amendments to applications after the filing deadline-is clear, and the court may not disregard the express terms of the statute. *See Gonzalez v. Guilbot*, 315 S.W.3d 533, 541 (Tex.2010) ("Our chief aim is to determine and give effect to the Legislature's intent, and where the statutory language is straightforward, it is determinative."); *Fleming*, 6 S.W.3d at 284.

26. The plain meaning of the statute is unambiguous, the legislature intended to change the law, and the legislature enacted subsection 141.032(g) with the intent to prohibit a candidate from filing, and the authority with whom an application is filed from accepting, an amended application for a place on the ballot after the statutory filing deadline. As a result, the court must construe subsection 141.032(g) to prohibit the trial court or Chairwoman in this case from granting a candidate an opportunity to file an amended application and from requiring a party chair to accept an amended application after the filing deadline. *See In re Wilson*, 421 S.W.3d 686, 689 (Tex.



App. – Fort Worth 2014, orig. proceeding) (denying petition for writ of mandamus to compel chair of Tarrant County Democratic Party to include candidate's name on ballot and stating that "it appears that the legislature has foreclosed the opportunity to cure any defects in an application or petition discovered after the filing deadline").

27. The statutes and the caselaw are clear that in this case, Chairwoman Alcantara, as the Bexar County Democratic Chair, has a mandatory and ministerial duty to reject Whitby's and Garcia's applications and must refrain from allowing and/or providing for correction or amendment of the submitted applications.

28. Counsel for Chairwoman Alcantara has acknowledged the defects in the Petitions. (see attached Petition for Mandamus Response at Exhibit 6)/ He further indicated that Plaintiff's request for relief in the Fourth Court of Appeals was premature. He acknowledged that once the statutory time permitted for the Chairwoman to review the applications had passed, that the applications would likely have been rejected. As a result, it is believed it was the basis the mandamus was rejected by the Fourth Court of Appeals. The applicable time has passed, and Chairwoman Alcantara has failed to comply with her mandatory and ministerial duty, which has necessitated the further bringing of this action.

## **VII. ADDITIONAL GROUNDS FOR REJECTING WHITBY'S APPLICATION**

29. Setting aside the defects outlined above, Mr. Whitby's application fails to be supported by the required number of valid signatures, based on several defects as

discussed further below. Specifically, the Texas Election Code provides that a candidate filing “for justice of the peace in a county with a population of more than 1.5 million, who chooses to pay the filing fee must also accompany the application with a petition ... the minimum number of signatures that must appear on the petition required by this subsection is 250.” Tex. Election Code Sec. 172.021.

30. In addition to the defect discussed regarding the omission of the “Place 1” designation on all of Whitby’s Petitions, the 39 pages of petitions have 168 defective signatures which cannot be used support his application. After reviewing the defective signatures, of the 337 total signatures submitted by Whitby, only 169 valid signatures remain. Accordingly, Whitby has failed to provide the minimum number of signatures required by the election code to support his application for the Democratic Primary. The issue was squarely presented to Alcantara by letter, with included attachments (See Attached Exhibit 7). Again, however, Alcantara has failed to take any action. These defects fall into six categories described herein.

31. **First Defective Category: Signatures by an Unregistered Voter**

To be a valid signature, the signer must be a registered voter. The Texas election code provides as follows:

"§ 141.063. Validity Of Signature

(a) A signature on a petition is valid if:

(1)... the signer, at the time of signing, *is a registered voter* of the territory from which the office sought is elected..."

Tex. Election Code Sec. 141.063 (emphasis added).

32. Whitby's petitions contain 59 signatures from unregistered voters. All 59 of these signatures are invalid under the provisions of the Texas Election code and cannot support his application for the ballot.

33. **Second Defective Category: Signatures by Voters Residing Outside of Bexar County Precinct 4**

To be a valid signature, the signer must not only be a registered voter, but the signer must also reside in Bexar County Precinct 4. The Texas election code provides as follows:

"§ 141.063. Validity Of Signature

(a) A signature on a petition is valid if:

(1) ... the signer, at the time of signing, is a registered voter *of the territory from which the office sought is elected...*"

Tex. Election Code Sec. 141.063 (emphasis added).

34. Whitby's petitions contain 50 signatures from voters who do not reside in Precinct 4. All 50 of these signatures are invalid under the provisions of the Texas Election code and cannot support his application for the ballot.

35. **Third Defective Category: Petition Signatures Must Provide Either a Date of Birth or a Voter Identification Number**

To be a valid signature, the signer's information on the petition must include *either* the date of birth, *or* the voter identification number. The Texas election code provides as follows:

“§ 141.063. Validity Of Signature

(a) A signature on a petition is valid if:

(2) the petition includes the following information with respect to each signer:

(A) the signer's residence address;

(B) the *signer's date of birth or the signer's voter registration number...*”

Tex. Election Code Sec. 141.063 (emphasis added).

36. Whitby's petitions contain 19 signatures which *fail to include both the date of birth and the voter identification number*. All 19 of these signatures are invalid under the provisions of the Texas Election code and cannot support his application for the ballot.

37. **Fourth Defective Category: Duplicate Signatures**

To be a valid signature, a candidate may have a registered voter sign a petition *only once*. To rule otherwise, would mean that one registered voter could sign a candidates petition 250 times to achieve the required number of signatures.

38. Whitby's application has 4 duplicate signatures, including one registered voter who signed the petition three times. All 4 of these signatures are invalid and cannot support his application for the ballot.

39. **Fifth Defective Category: Signatures on Lopez Application Which Later Appear on Whitby Application Are Invalid as to Whitby**

A registered voter may only sign one candidate's petition. Once a registered voter signed the Lopez petitions, that signer's later signature on the Whitby petition is invalid. The Texas election code provides as follows:

“§ 141.066. Signing More Than One Petition Prohibited

(a) A person may not sign the petition of more than one candidate for the same office in the same election.

(c) A *signature* on a candidate's petition *is invalid if the signer signed the petition subsequent to signing a petition of another candidate* for the same office in the same election.

Tex. Election Code Sec. 141.066 (emphasis added).

40. Whitby's petitions contain 3 signatures which were signed subsequent to the same signatures having been signed on the Lopez petitions. All 3 of these signatures are invalid under the provisions of the Texas Election code and cannot support his application for the ballot.

41. **Sixth Defective Category: Signatures Obtained Prior to Filing of Whitby Treasurer's Designation are Invalid**

Whitby filed an “Appointment of a Campaign Treasurer by a Candidate” form as required by the Texas Election Code.<sup>1</sup>

His appointment took effect on December 9, 2021, the date which it was filed.<sup>2</sup> A candidate, such as Whitby, may not engage in any political activity until a campaign treasurer appointment has been filed.<sup>3</sup> A person who violates this section of the Election Code commits an offense which is punishable as a Class A misdemeanor.<sup>4</sup>

42. Whitby submitted 33 petition signatures which were obtained prior to his filing of a campaign treasurer appointment. All 33 petition signatures obtained prior to the filing of the treasurer appointment constitute impermissible campaign activity. As such, petitions which pre-date the filing of the campaign treasurer appointment are legally invalid and must be rejected.

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<sup>1</sup> “APPOINTMENT OF CAMPAIGN TREASURER REQUIRED. Each candidate and each political committee shall appoint a campaign treasurer as provided by this chapter.” **Texas Election Code Section 252.001.**

<sup>2</sup> “TIME APPOINTMENT TAKES EFFECT; PERIOD OF EFFECTIVENESS. (a) A campaign treasurer appointment takes effect at the time it is filed with the authority specified by this chapter.” **Texas Election Code Section 252.011**

<sup>3</sup> “§22.1. Certain Campaign Treasurer Appointments Required before Political Activity Begins

(a) An individual must file a campaign treasurer appointment with the proper authority before accepting a campaign contribution or making or authorizing a campaign expenditure.” **Texas Ethics Commission Rules, Chapter 22, Restrictions on Contributions and Expenditures; see also**

“§ 253.031. Contribution And Expenditure Without Campaign Treasurer Prohibited

(a) A candidate may not knowingly accept a campaign contribution or make or authorize a campaign expenditure at a time when a campaign treasurer appointment for the candidate is not in effect.” **Tex. Election Code Sec. 253.031.**

<sup>4</sup> **Texas Election Code Section 253.031(f).**

43. A contribution is defined to include “a direct or indirect transfer of money, goods, services, *or any other thing of value.*”<sup>5</sup> While a signature by itself is not a “political contribution,” both a Federal Court and the Texas Ethics Commission have found that gathering signatures on petition forms does in fact constitute a political contribution and/or expenditure. In support of this proposition, the Federal Court for the Southern District of Texas quoted the Texas Ethics Commission as follows:

“Tex. Ethics Comm'n, Ethics Advisory Op. No. 262 (1995) [No. 511 (2013)] (discussing whether a signature on a petition constitutes a thing of value and concluding that ‘[a] signature on a candidate's petition for a place on the ballot does not, by itself, constitute a transfer of a thing of value to the candidate and is not a political contribution’ *but* that ‘**any goods or services that are *used or provided to obtain a signature on a candidate's petition, such as paper or personal services, would constitute a political contribution* to the candidate’).” *Joint Heirs Fellowship Church v. Ashley*, 45 F.Supp.3d 597, 636 (S.D.Tex.2014) *aff'd sub nom.*, 629 Fed. App. 627 (5th Cir.2015) (emphasis added).**

44. Any petition forms used by Whitby, prior to the filing of his treasurer appointment are illegal as they are the result of impermissible campaign contributions and/or expenditures. Texas Courts considering this issue have specifically found as much:

“...when, as here, [a party] ... fails to adhere to statutes set forth in the State Election Code by illegally procuring petitions in violation of those statutes, *the illegally procured petitions are invalid from their inception.*”<sup>6</sup>

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<sup>5</sup> Texas Election Code Section 251.001(2) (emphasis added).

<sup>6</sup> *Cook v. Tom Brown Ministries*, 385 S.W.3d 592, 606 (Tex. App.—El Paso 2012, pet. denied).

In considering this issue, the reviewing appellate court found that the petitions involved were *illegal from their inception* because at the time the petitions were collected, *there was no designated campaign treasurer*.<sup>7</sup> Accordingly, all petition signatures obtained by Whitby before the filing of his treasurer appointment are invalid and may not be used to support his application for the ballot.

45. Whitby filed his application for ballot accompanied by petitions including a total of 337 signatures. Removing the six categories of defective signatures, as this honorable Court must, Whitby's application is left with only 169 valid signatures. As this number is less than the 250 statutorily required minimum number of signatures, Whitby's application for the Democratic Primary Ballot must be rejected.

### **VIII. REQUEST FOR INJUNCTIVE RELIEF**

46. Plaintiff Rogelio Lopez will be severely and irreparably harmed if Garcia's and Whitby's names appear on the primary ballot for March 1, 2022, as neither has met the Texas law requirements to be placed on the ballot as a candidate for the office of Justice of the Peace, Precinct 4, Place 1. The unlawful actions of the Defendants and/or failure of Chairwoman Alcantara to perform her duties will cause Plaintiff to be opposed by persons who have not filed proper applications and who are not eligible to have their names on the ballot, and Plaintiff will have no adequate

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<sup>7</sup> *Id.*



remedy at law to redress the wrong in question. Moreover, the inclusion of their names on the ballot will cause irreparable harm by allowing for the vote for a candidate who may be otherwise ineligible, affecting the outcome for those candidates who may be legitimately included on the ballot.

47. In light of the foregoing, Plaintiff requests this Court to issue a Temporary Restraining Order, and, after notice and hearing, a Temporary Injunction and Permanent Injunction, enjoining and restraining Alcantara from placing both Garcia and Whitby on the Democratic primary ballot, and certifying either name for the election as the democratic nominee for the office of Justice of the Peace, Precinct 4, Place 1 as both applications are invalid. Alternatively Plaintiff requests this Court issue a Temporary Restraining Order, and, after notice and hearing, a Temporary Injunction and Permanent Injunction, enjoining and restraining Alcantara and/or ordering Alcantara to perform her duties as Bexar County Democratic Chairwoman to reject one or both of the Garcia and/or Whitby applications and/or petitions seeking to place the names of Garcia and/or Whitby on the Democratic primary ballot for the office of Justice of the Peace, Precinct 4, Place 1. If and to the extent Alcantara has already certified either Garcia or Whitby to appear on said ballot, Plaintiff requests that Alcantara be ordered to withdraw said certification whether made to the Bexar County Elections Department for printing of the ballots, to the Texas Secretary of State or otherwise. Plaintiff also requests this Court enjoin

Alcantara from approving the “final proof” of the ballot including any of the named defendants.

48. Plaintiff is likely to succeed on the merits of this lawsuit because the applications submitted by both defendants are defective as a matter of law.

49. The harm to Plaintiff is imminent because the Democratic Chair, Monica Alcantara, has abrogated her duties and must be compelled to act before the Democratic Primary Ballots are to be printed on January 13, 2022.

50. This imminent harm will cause Plaintiff irreparable injury in that Plaintiff will have to face two opponents who would be on the ballot in violation of the Texas Election Code.

51. There is no adequate remedy at law which will give Plaintiff complete, final, and equal relief, unless the legally invalid applications are rejected.

## **IX.**

52. A bona fide issue exists as to Plaintiffs’ rights to ultimate relief and Plaintiffs would request a temporary restraining order and injunction regarding same pending resolution of this litigation.

## **X.**

### **REQUEST FOR DECLARATORY RELIEF**

53. Plaintiff asks this Court to declare his rights and status and the rights and status of the Defendants in this matter, including the obligations of Chairwoman Alcantara

and the qualification and/or disqualification of Defendants Whitby and/or Garcia, pursuant to the Election Code.

54. A declaratory judgment is appropriate where there is a justiciable controversy about the rights and status of the parties, and the declaration would resolve the controversy. *Bonham State Bank v. Beadle*, 907 S.W.3d 465, 467 (Tex. 1995). Additionally the controversy must be real and substantial involving genuine conflict of tangible interests and not merely a theoretical dispute. *Id.*

## **XI. PRAYER FOR RELIEF**

55. WHEREFORE, Plaintiff respectfully prays that this Court

- a. Cite Defendants to appear herein.
- b. That the Court issue a temporary restraining order directing that Alcantara take all steps necessary to prevent the printing of the ballots for the office of Justice of the Peace, Precinct 4, Place 1, including withdrawing any certification or request she has made for printing of said ballots until the Court can conduct a hearing regarding and rule on plaintiff's request for the Temporary and/or Permanent Injunction sought by this Petition.

- c. If Alcantara has previously certified the names of either Garcia or Whitby to appear on the 2022 Democratic Party primary to the Bexar County Elections Department, to the Secretary of State, or to any other person or entity, that she be temporarily restrained and enjoined from certifying and/or ordered to

withdraw such prior certification and not recertify any of those names or allow those names to appear on the ballot for that office until the Court rules on the temporary and permanent injunctions sought herein.

d. That the Court issue a temporary restraining order requiring all persons or entities responsible for printing said ballots to delay the printing thereof until the Court rules on the temporary and permanent injunctions sought herein and for any request for declaratory relief; and further, Plaintiff prays for such other and further relief, both at law and in equity, to which he may show himself justly entitled.

**Respectfully submitted,**

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**ATTORNEYS FOR PLAINTIFF**

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Angela Zepeda on behalf of Adam Poncio  
Bar No. 16109800  
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Envelope ID: 60315650  
Status as of 12/27/2021 3:44 PM CST

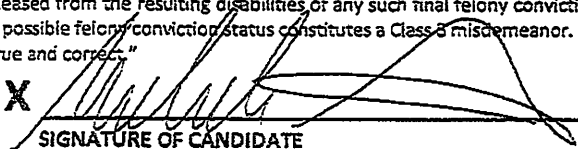
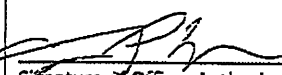
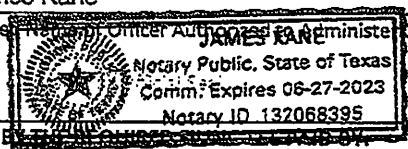

#### Case Contacts

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Monica Alcantara		info@bexardemocrat.org	12/27/2021 3:19:03 PM	SENT

# **EXHIBIT “F”**

# APPLICATION FOR A PLACE ON THE GENERAL PRIMARY BALLOT

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL. Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE <u>Democratic</u> PARTY GENERAL PRIMARY BALLOT			
(Democratic or Republican)			
TO: State/County Chair			
I request that my name be placed on the above-named official primary ballot as a candidate for nomination to the office indicated below.			
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.) <u>Justice of the Peace, Precinct 4</u>		INDICATE TERM <input checked="" type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last) <u>Michele Carey Garcia</u>		PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT* <u>Michele Garcia</u>	
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.) <u>405 E Lindbergh</u>		PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.) <u>Same</u>	
CITY <u>Universal City</u>	STATE <u>Tx</u>	ZIP <u>78148</u>	CITY <u></u>
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.) <u>michelegarcia64@gmail.com</u>		OCCUPATION (Do not leave blank) <u>Court Clerk</u>	DATE OF BIRTH <u>05 / 17 / 1984</u>
TELEPHONE CONTACT INFORMATION (Optional)		VOTER REGISTRATION VUID NUMBER <sup>2</sup> (Optional) <u>1190699313</u>	
Home: <u></u> Office: <u></u> Cell: <u>(210) 843-0177</u>			
FELONY CONVICTION STATUS (You MUST check one)		LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN	
<input checked="" type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. <sup>3</sup>		IN THE STATE OF TEXAS <u>37</u> year(s) <u>7</u> month(s)	
		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED <u>37</u> year(s) <u>7</u> month(s)	
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.			
Before me, the undersigned authority, on this day personally appeared (name of candidate) <u>Michele Carey Garcia</u> , who being by me here and now duly sworn, upon oath says: "I, (name of candidate) <u>Michele Carey Garcia</u> , of <u>Bexar</u> County, Texas, being a candidate for the office of <u>Justice of the Peace, Precinct 4</u> , swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."			
<div style="text-align: center;">X  SIGNATURE OF CANDIDATE</div>			
Sworn to and subscribed before me this the <u>10</u> day of <u>December</u> , <u>2021</u> , by <u>Michele Carey Garcia</u> (day) (month) (year) (name of candidate)			
Signature of Officer Authorized to Administer Oath <sup>4</sup> 		James Kane Printed Name of Officer Authorized to Administer Oath	
Title of Officer Authorized to Administer Oath <u>Notary</u>			
TO BE COMPLETED BY CHAIR OR DESIGNEE: THIS APPLICATION IS ACCOMPANIED BY <input type="checkbox"/> CASH <input checked="" type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE.			
This document and \$ <u>1000.00</u> filing fee or a nominating petition of <u>57</u> pages received. <input checked="" type="checkbox"/> Voter Registration Status Verified			
<u>12 / 10 / 2021</u> Date Received		<u>12 / 10 / 21</u> Date Accepted	
(See Section 1.007)  Signature of Chair or Designee			



# **EXHIBIT “G”**

**AFFIDAVIT OF MICHELE GARCIA**

STATE OF TEXAS           §  
                                     §  
COUNTY OF BEXAR       §

Before me, the undersigned notary, on this day personally appeared Michele Garcia, a person whose identity is known to me. After being by me duly cautioned to tell the truth, subject to the penalties for perjury, she did affirm and testify to the best of her knowledge and belief as follows:

“My name is MICHELE GARCIA. I am over 18 years of age, of sound mind and capable of making this affidavit. I have personal knowledge of the facts stated herein, and they are true and correct.

On October 21, 2021, I, Michele Garcia, officially filed my Treasurer with the Bexar County Democratic Party and begin collecting signatures for my campaign. After collecting the mandatory 250 signatures, I then filed my official application for candidacy. On December 10, 2021, I went into the Bexar County Democratic Party office not knowing I needed to have my application for a place on the General Primary Ballot prefilled. The Bexar County Democratic Party offered to fill my application out, I then reviewed the application, swore to it and signed it and officially filed it with the Bexar County Democratic Party County Chair.

As far as I knew, everything was fine as my application was accepted. However, I was shocked to be served with a Petition for an Emergency Hearing on a Writ of Mandamus filed by Rogelio Lopez Jr., on December 16, 2021 at 12:00 pm and had less than 12 hours to response to the Fourth Court of Appeals by 10:00 am the next day (December 17, 2021). I timely submitted my response to the Fourth Court of Appeals on December 17, 2021, explaining that there was only one office for Justice of the Peace in Precinct 4 and that Place 2 had been eliminated and attached exhibits showing the elimination of all the other places in Precinct 4 leaving only one possible Justice of the Peace office. I firmly believe that there is no confusion as there is only one Justice of the Peace office in Precinct 4 and there could be only one office sought in that precinct for the Justice of the Peace position. That same day I received a decision that the Fourth Court of Appeals denied Rogelio Lopez, Jr.'s Petition for Mandamus.

I was satisfied that this issue was over, however, on December 27, 2021, I was served with a notice of hearing, via email, for Plaintiff's Application for Temporary Injunction. The hearing was set for January 4, 2022 at 9:00 am in Presiding District Court. On January 4, 2022, the case was reset for the following day, January 5, 2022 at 1:30 pm. On January 6, 2022 at 1:30 pm the trial court issued a Permanent Injunction, removing my name from the ballot.

At this point I have nowhere left to turn as the Permanent Injunction will effectively block my name from being submitted on the ballot for the only office of the Justice of the Peace in Precinct 4. I am left with no choice but to file this case with the Fourth Court of Appeals as there is no time to sit and wait for the trial court to issue its formal permanent injunction and then attempt to appeal that decision as the mail in ballots will be printed by January 13, 2022 and mailed by January 15, 2022."

Further affiant sayeth not."

  
MICHELE GARCIA

SWORN TO and SUBSCRIBED BEFORE ME by MICHELE GARCIA on this the 9th day of January, 2022.



  
NOTARY PUBLIC, State of Texas

Notary Expires: 9-26-2024

### Automated Certificate of eService

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Arturo Martinez de Vara on behalf of Adrian Spears  
Bar No. 24049318  
martinezdevara@gmail.com  
Envelope ID: 60641656  
Status as of 1/10/2022 8:42 AM CST

Associated Case Party: MicheleCareyGarcia

Name	BarNumber	Email	TimestampSubmitted	Status
Adrian A.Spears		adrian@aspearslaw.com	1/10/2022 1:49:11 AM	SENT
Charles Sierra		charles@sierraspears.com	1/10/2022 1:49:11 AM	SENT
Arturo IMartinez de Vara		martinezdevara@gmail.com	1/10/2022 1:49:11 AM	SENT
Terri Gould		mdvlawparalegal@gmail.com	1/10/2022 1:49:11 AM	SENT
Misty Spears		misty@sierraspears.com	1/10/2022 1:49:11 AM	SENT

Associated Case Party: JacquelynF.Callanen

Name	BarNumber	Email	TimestampSubmitted	Status
Jacquelyn F.Callanen		jcallanen@bexar.org	1/10/2022 1:49:11 AM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Jose Garza	7731950	garzpalm@aol.com	1/10/2022 1:49:11 AM	SENT

Associated Case Party: Monica Alcantara

Name	BarNumber	Email	TimestampSubmitted	Status
Monica Alcantara		chair@bexardemocrat.org	1/10/2022 1:49:11 AM	SENT
Martin Golando	24059153	martin.golando@gmail.com	1/10/2022 1:49:11 AM	SENT

Associated Case Party: Rogelio Lopez

Name
------

### **Automated Certificate of eService**

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Bar No. 24049318  
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Envelope ID: 60641656  
Status as of 1/10/2022 8:42 AM CST

Associated Case Party: Rogelio Lopez

Adam Poncio	16109800	salaw@msn.com	1/10/2022 1:49:11 AM	SENT
Rogelio Lopez, Jr.		judgerogelopez@gmail.com	1/10/2022 1:49:11 AM	SENT
Adam Poncio		aponcio@poniciolaw.com	1/10/2022 1:49:11 AM	SENT

Associated Case Party: Hon. John Gabriel

Name	BarNumber	Email	TimestampSubmitted	Status
Hon. John Gabriel, Jr.		gabrielmediation@gmail.com	1/10/2022 1:49:11 AM	SENT